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INTRODUCTION

The Illinois Register is the official state document for publishing public notice of rulemaking activity by State governmental agencies. The table of contents is arranged categorically by rulemaking activity and alphabetically by agency within each category. Rulemaking activity consists of proposed or adopted new rules or amendments to or repealers of existing rules, including those by emergency or peremptory action.

The *Register* also contains Executive Orders and Proclamations issued by the Governor, notices of public information required by State statute, and activities (meeting agendas, Statements of Objection or Recommendation, etc.) of the Joint Committee on Administrative Rules (JCAR), a legislative oversight committee which monitors the rulemaking activities of State agencies. In addition, the *Register* contains a Cumulative Index listing alphabetically by agency the Parts (sets of rules) on which rulemaking activity has occurred in the current *Register* volume and a Sections Affected Index listing, by Title of the *Illinois Administrative Code*, each Section (including supplementary material) of a Part on which rulemaking activity has occurred in the current volume. Both indices are action coded and are designed to aid the public in monitoring rules.

The *Register* will serve as the update to the *Illinois Administrative Code*, a compilation of the rules of State agencies. The most recent edition of the *Code* along with the *Register* comprise the most current accounting of the State agencies' rules.

The *Illinois Register* is the property of the State of Illinois, granted by the authority of the Illinois Administrative Procedure Act (Ill. Rev. Stat. 1991, ch. 127, pars. 1001 et seq., as amended).

REGISTER PUBLICATION SCHEDULE 1992

Material Rec'd after 4:30 p.m. on:	And before 4:30 p.m. on:	Will be in Issue #:	Published on:	Material Rec'd after 4:30 p.m. on:	And before 4:30 p.m. on:	Will be in Issue #:	Published on:
Dec. 17, 1991	Dec. 24, 1991	1	Jan. 3, 1992	June 23, 1992	June 30, 1992	28	July 10, 1992
Dec. 24, 1991	Dec. 31, 1991	2	Jan. 10, 1992	June 30, 1992	July 7, 1992	29	July 17, 1992
Dec. 31, 1991	Jan. 7, 1992	3	Jan. 17, 1992	July 7, 1992	July 14, 1992	30	July 24, 1992
Jan. 7, 1992	Jan. 14, 1992	4	Jan. 24, 1992	July 14, 1992	July 21, 1992	31	July 31, 1992
Jan. 14, 1992	Jan. 21, 1992	5	Jan. 31, 1992	July 21, 1992	July 28, 1992	32	Aug. 7, 1992
Jan. 21, 1992	Jan. 28, 1992	6	Feb. 7, 1992	July 28, 1992	Aug. 4, 1992	33	Aug. 14, 1992
Jan. 28, 1992	Feb. 4, 1992	7	Feb. 14, 1992	Aug. 4, 1992	Aug. 11, 1992	34	Aug. 21, 1992
Feb. 4, 1992	Feb. 11, 1992	8	Feb. 21, 1992	Aug. 11, 1992	Aug. 18, 1992	35	Aug. 28, 1992
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Feb. 18, 1992	Feb. 25, 1992	10	Mar. 6, 1992	Aug. 25, 1992	Sept. 1, 1992	37	Sept. 11, 1992
Feb. 25, 1992	Mar. 3, 1992	11	Mar. 13, 1992	Sept. 1, 1992	Sept. 8, 1992	38	Sept. 18, 1992
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Mar. 10, 1992	Mar. 17, 1992	13	Mar. 27, 1992	Sept. 15, 1992	Sept. 22, 1992	40	Oct. 2, 1992
Mar. 17, 1992	Mar. 24, 1992	14	Apr. 3, 1992	Sept. 22, 1992	Sept. 29, 1992	41	Oct. 9, 1992
Mar. 24, 1992	Mar. 31, 1992	15	Apr. 10, 1992	Sept. 29, 1992	Oct. 6, 1992	42	Oct. 16, 1992
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Apr. 28, 1992	May 5, 1992	20	May 15, 1992	Nov. 2, 1992 (Mon)	Nov. 10, 1992	47	Nov. 20, 1992
May 5, 1992	May 12, 1992	21	May 22, 1992	Nov. 10, 1992	Nov. 17, 1992	48	Nov. 30, 1992 (Mon.)
May 12, 1992	May 19, 1992	22	May 29, 1992	Nov. 17, 1992	Nov. 24, 1992	49	Dec. 4, 1992
May 19, 1992	May 26, 1992	23	June 5, 1992	Nov. 24, 1992	Dec. 1, 1992	50	Dec. 11, 1992
May 26, 1992	June 2, 1992	24	June 12, 1992	Dec. 1, 1992	Dec. 8, 1992	51	Dec. 18, 1992
June 2, 1992	June 9, 1992	25	June 19, 1992	Dec. 8, 1992	Dec. 15, 1992	52	Dec. 28, 1992 (Mon)
June 9, 1992	June 16, 1992	26	June 26, 1992	Dec. 15, 1992	Dec. 22, 1992	1	Jan. 4, 1993 (Mon)
June 16, 1992	June 23, 1992	27	July 6, 1992 (Mon)	Dec. 22, 1992	Dec. 29, 1992	2	Jan. 8, 1993

Please note: When the Register deadline falls on a State holiday, the deadline becomes 4:30 p.m. on Monday (the day before).

DEPARTMENT OF COMMERCE AND COMMUNITY AFFAIRS

DEPARTMENT OF COMMERCE AND COMMUNITY AFFAIRS

NOTICE OF PROPOSED RULES

NOTICE OF PROPOSED RULES

- 1) The Heading of the Part: Emergency Community Services Homeless Grant Program

- 10) Statement of Statewide Policy Objectives: This rulemaking does not create or expand a state mandate as defined in Section 3(b) of the State Mandates Act (Ill. Rev. Stat. 1991, ch. 85, par. 2203).

- 2) Code Citation: 47 Ill. Adm. Code 125

- 11) Time, Place, and Manner in which interested persons may comment on this proposed rulemaking: Interested persons may present their comments concerning this proposed rulemaking in writing within 45 days after this edition of the Illinois Register to the following:

Mr. Norman Sims, Deputy Director
Department of Commerce and Community Affairs
Office of Policy Development, Planning & Research
620 East Adams Street, 3rd floor
Springfield, Illinois 62701
(217) 524-4845

- 12) Initial Regulatory Flexibility Analysis:

- A) Date rule was submitted to the Business Assistance Office of the Department of Commerce and Community Affairs: December 1, 1992.

- 4) Statutory Authority: Implementing Title VII, Subtitle D of the Stewart B. McKinney Homeless Assistance Act (42 U.S.C. 11461-11464 and 11472), as amended by P.L. 100-628, effective November 7, 1988 and P.L. 101-645, effective November 29, 1990) and the Illinois Economic Opportunity Act (Ill. Rev. Stat. 1991, ch. 127, pars. 2601 et seq., as amended by P.A. 87-926, effective August 26, 1992) and authorized by Section 46.42 of the Civil Administrative Code of Illinois (Ill. Rev. Stat., 1991, ch. 127, par. 46.42).

- B) Types of small businesses and small municipalities affected: This rulemaking will only directly affect Community Action Agencies (CAAs). Grantees under this rulemaking are CAAs, twelve of which are public entities and twenty-five of which are private not-for-profit corporations.

- C) Reporting, bookkeeping or other procedures required for compliance: All CAAs must comply with the administrative requirements found in Section 125.130 of the rules, including the fiscal and programmatic reporting requirements of subsections (d), (e), and (f). They must have a governing board that meets the requirements of Section 125.80 and must submit the application information specified in Section 125.90 to be considered for funding.

- D) Types of professional skills necessary for compliance: CAA staff should already possess the necessary skills for compliance.

The full text of the Proposed Rules begins on the next page:

- 6) Will these proposed rules replace emergency rules currently in effect? No.

- 7) Does this rulemaking contain an automatic repeal date? No.

- 8) Do these proposed rules contain incorporations by reference? Yes.

- 9) Are there any proposed amendments pending on this Part? No.

NOTICE OF PROPOSED RULES

NOTICE OF PROPOSED RULES

TITLE 47: HOUSING AND COMMUNITY DEVELOPMENT
CHAPTER 1: DEPARTMENT OF COMMERCE AND COMMUNITY AFFAIRS

Section 125.30 Legislative Base

PART 125

EMERGENCY COMMUNITY SERVICES HOMELESS GRANT PROGRAM

Section

- 125.10 Purpose and Scope
- 125.20 Incorporation by Reference
- 125.30 Legislative Base
- 125.40 Definitions
- 125.50 Allocation of Funds to Grantees
- 125.60 Eligible Use of Funds
- 125.70 Eligible Grantees
- 125.80 Required Board Structure
- 125.90 Grant Application Requirements
- 125.100 Grantee Termination
- 125.110 Selection of Successor Agency
- 125.120 Client Eligibility Requirements
- 125.130 Administrative Requirements
- 125.140 Complaint Process

AUTHORITY: Implementing Title VII, Subtitle D of the Stewart B. McKinney Homeless Assistance Act (42 U.S.C. 11461-11464 and 11472, as amended by P.L. 100-628, effective November 7, 1988 and P.L. 101-645, effective November 29, 1990) and the Illinois Economic Opportunity Act (Ill. Rev. Stat. 1991, ch. 127, pars. 2601 et seq., as amended by P.A. 87-926, effective August 26, 1992) and authorized by Section 46.42 of the Civil Administrative Code of Illinois (Ill. Rev. Stat. 1991, ch. 127, par. 46.42).

SOURCE: Adopted at 16 Ill. Reg. _____, effective _____.

Section 125.10 Purpose and Scope

The purpose of this Part is to provide rules relative to the administration of the Emergency Community Services Homeless Grant Program (EHP) within the State of Illinois. The promulgation of clear-cut program rules for the EHP will ensure the maximum and efficient use of funds to provide urgently needed assistance to protect and improve the lives and safety of the homeless, with special emphasis on elderly persons, handicapped persons, native Americans, and families with children within the State.

Section 125.20 Incorporation by Reference

Any incorporation by reference in this Part of the rules and regulations of any agency of the United States or of standards of a nationally recognized organization or association includes no new amendments or editions made after the date specified.

a) Federal

- 1) On July 22, 1987, Congress passed the Stewart B. McKinney Homeless Assistance Act of 1987 (P.L. 100-77, effective July 22, 1987) which established fourteen separate programs to assist homeless persons, including the EHP.
- 2) The EHP was enacted as Subtitle D of Title VII of the Stewart B. McKinney Homeless Assistance Act (Act) (42 U.S.C. 11461-11464 and 11472), as amended by P.L. 100-628, effective November 7, 1988 and P.L. 101-645, effective November 29, 1990).
- 3) The U.S. Department of Health and Human Services (DHHS) through the Office of Community Services was authorized to make EHP grants to states that administered programs under the Community Services Block Grant (CSBG) Act (42 U.S.C. 9901 et seq.). Allocations to the states were made in accordance with the formula set forth in Section 674 (a)(1) of the CSBG Act.
- 4) Section 754 of the Act authorized an appropriation of \$50,000,000 for Subtitle D, for each of the fiscal years 1991, 1992, and 1993, and such sums as determined by Congress for the succeeding fiscal years to carry out the provisions of the Act.
- 5) States were eligible to receive funds under this Act on October 12, 1987.

b) State

The Act requires that funds appropriated for the EHP program be distributed to states that receive funds under the CSBG Act. The Department of Commerce and Community Affairs (Department) was designated by the Governor and has been operating the CSBG program since September 9, 1981. As part of its federal grant application to the DHHS for FY 87 the Department provided assurance that it would comply with the Act and DHHS regulations for the EHP (45 CFR 1080 - October 1, 1991 edition, as amended June 23, 1992 at 57 FR 27943-27946).

Section 125.40 Definitions

"Community Action Agency (CAA)" - A governmental or not-for-profit agency established to carry out anti-poverty activities and possessing a unique governing or administering

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board structure as cited in Section 125.80 of this Part.

"Equipment" - Nonexpendable personal property having a useful life of more than one year and an acquisition cost of \$1,000 or more per unit.

"Grant Document" - EHP grant document between the Department and the Grantee for a specific program period which details the responsibilities of each party.

"Grantee" - The local organization administering the CSBG/EHP in a specified geographic area.

"Homeless or Homeless Individual" -

An individual who lacks a fixed, regular, and adequate nighttime residence; and

An individual who has a primary nighttime residence that is:

A supervised publicly or privately operated shelter designed to provide temporary living accommodations (including welfare hotels, congregate shelters, and transitional housing for the mentally ill);

An institution that provides a temporary residence for individuals intended to be institutionalized; or

A public or private place not designed for, or ordinarily used as, a regular sleeping accommodation for human beings.

The term does not include any individual imprisoned or otherwise detained pursuant to an Act of the Congress or a State law.

"Near-Homeless Individual" - An individual who has received a notice of foreclosure, eviction or termination of utility services and is in imminent danger of losing his/her fixed, regular and adequate nighttime residence.

"Poverty" - Income levels which are at or below the poverty income guidelines published by the DHHS annually.

Section 125.50 Allocation of Funds to Grantees

In accordance with the DHHS Rules (45 CFR 1080.3) and Section 752(a) of the Act, the State shall allocate not less than 95% of the amount it receives to

NOTICE OF PROPOSED RULES

eligible Grantees who collectively represent all of Illinois' 102 counties and the City of Chicago. This allocation shall be based upon the Grantees' jurisdictional share of the State's poverty population. The remaining 5% of the allocation shall be used to defray State administrative costs. No amount allocated shall be used to supplant other programs for homeless individuals administered by the State.

Section 125.60 Eligible Use of Funds

EHP funds shall only be used for one or more of the following activities relating to assisting homeless and near-homeless individuals to become self-sufficient, contributing members of the local society. They are as follows:

a) Eligible Activities

- 1) Expansion of comprehensive services to homeless individuals to provide follow-up and long-term services to enable homeless individuals to make the transition out of poverty.
- 2) Renovation of buildings to be used to provide such services, except that not more than 50% of the State's annual portion allocated to CAAs may be used for such purpose, and provided that all procedures required under the National Historic Preservation Act (16 U.S.C. 470f) are followed.
- 3) Provision of assistance in obtaining social and maintenance services and income support services for homeless individuals.
- 4) Promotion of private sector and other assistance to homeless individuals.
- 5) Provision of assistance to any individual who has received a notice of foreclosure, eviction or termination of utility services if:
 - A) The inability of the individual to make mortgage, rental, or utility payments is due to a sudden reduction in income;
 - B) The assistance is necessary to avoid the foreclosure, eviction or termination of utility services; and
 - C) There is a reasonable prospect that the individual will be able to resume the payments within a reasonable period of time.

DEPARTMENT OF COMMERCE AND COMMUNITY AFFAIRS

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- 6) Provision of, or referral to, violence counseling for homeless children and individuals, and the provision of violence counseling training to individuals who work with homeless children and individuals.

b) Limitations

In accordance with 45 CFR 1080.5 (b)(5), Grantees are limited to 25% of their EHP allocation for the activities specified in subsection (a)(5) of this Section.

Section 125.70 Eligible Grantees

The Department shall award 95% of all EHP funds it receives to:

- a) CAAs that are eligible to receive amounts under Section 675 (c)(2)(A) of the CSBG Act and
- b) Organizations serving migrant and seasonal farmworkers.

Section 125.80 Required Board Structure

For the purpose of this Part, the provisions governing required board structure found in 47 Ill. Adm. Code 120.70 are applicable.

Section 125.90 Grant Application Requirements

In preparing its application for funding assistance under the EHP, the grant applicant shall submit the following information:

- a) Annual Work Program - The work program shall narrate the objectives and activities proposed to be undertaken with grant funds. The work program shall detail specific annual objectives and the activities proposed to meet each objective, the agency responsible for carrying out the activity (if other than the grant applicant), and the costs to be incurred in carrying out the activities (including non-EHP costs).
- b) Annual Budget - The grant budget shall be broken out by cost categories on the budget forms provided by the Department. The Department may require that a complete annual budget be submitted which provides budget detail on all programs and sources of funding if: there have been problems with past audits of the grant applicant, the Department has no experience in dealing with the grant applicant, the grant applicant lacks a cost allocation plan, or other related incidents have occurred making it necessary to obtain the additional information about the grant applicant.

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- c) Description of Program Linkages - The grant applicant shall state its major work activities which impact upon programs funded by EHP and indicate the manner in which the programs are coordinated within the agency to ensure that the multiple needs of the poor are being addressed.
- d) Other Funds (non-EHP) and Primary Sources(s) - The grant applicant shall list any other (non-EHP) funds being used to support any particular work program.
- e) Statement of Coordination - The grant applicant shall outline its program of coordination with other agencies and community programs that impact its programs. The statement shall include coordination mechanisms established by the applicant and cite interagency agreements or contractual arrangements used to support coordinated service delivery. At a minimum, local coordination shall include Public Aid; the Job Training Partnership Act; General or Transitional Assistance; feeding programs; food pantries; shelter providers; and local church, social or civic groups providing services to homeless individuals.
- f) Assurances and Certifications - As provided in the grant application, the grant applicant shall certify its compliance with all applicable state and federal laws and regulations dealing with the receipt and expenditure of grant monies.

Section 125.100 Grantee Termination

For the purpose of this Part, provisions governing Grantee termination as specified in 47 Ill. Adm. Code 120.55 are applicable.

Section 125.110 Selection of Successor Agency

For the purpose of this Part, the provisions governing Grantee selection found in 47 Ill. Adm. Code 120.60 are applicable.

Section 125.120 Client Eligibility Requirements

- a) Client eligibility for the EHP is limited to homeless and near-homeless individuals (as defined in Section 125.40 of this Part) in accordance with the following:
 - 1) The majority of the clients served (at least 51%) shall have incomes at or below the poverty level.
 - 2) Assistance may also be provided to "low-income" clients whose incomes are at or below 125% of the poverty level.

DEPARTMENT OF COMMERCE AND COMMUNITY AFFAIRS

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3) Grantees may use up to 10% of their EHP funds to provide extreme emergency assistance to clients who are above the EHP income guidelines specified in subsections (a)(1) and (2) of this Section. This provision allows Grantees to provide urgently needed assistance to clients who are not poor but have fallen victim to natural or man-made disasters (e.g., floods, fires, tornadoes, accidents, crime). Special written authorization shall be obtained from the Department if the number of clients in this category will exceed 10% of the total EHP clients served in a grant period.

b) Client income may be determined by actual annual income or a projection of income based on the prior 90 days, whichever is most beneficial to the client.

Section 125.130 Administrative Requirements

a) Compensation - The Grantee cannot be reimbursed for costs which exceed the total approved budget. Budget line items within and between costs categories may be increased without prior approval by up to 20% when other line items or cost categories are reduced by corresponding monetary amounts in other categories. The administration cost category may only be reduced and the special cost category may only be increased. Equipment and contractual service line items shall not be increased without prior approval. The Department shall grant approval to modify budgeted amounts when the modification is necessary to achieve program objectives.

b) Unexpended Funds - An EHP fund balance from the previous fiscal year shall be, subject to written approval of the Department, carried into the Grantee's succeeding fiscal year EHP program. The carry-over amount shall not exceed 20% of the Grantee's EHP allocation for the year in which the fund balance occurs. The carry-over funds shall not reduce the succeeding fiscal year allocation, but the succeeding year's work program shall reflect additional planned program achievements with reasonable probability of accomplishing those planned achievements so as to eliminate future substantive unexpended balances.

c) Accounting Requirements - The Grantee's fiscal system shall provide for the accountability and management of grant funds in accordance with state requirements. The Grantee's financial management of EHP funds shall provide for accurate, current, and complete disclosure of the financial results of the program in accordance with generally accepted accounting principles of the American Institute of Certified Public Accountants (AICPA, June 1988). The Grantee shall keep financial records which detail the expenditure of grant funds and accurately document financial

DEPARTMENT OF COMMERCE AND COMMUNITY AFFAIRS

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reporting to the Department. The Grantee shall maintain effective control and accountability over all funds, equipment, property, and other assets under the grant agreement as required by the Department. The Grantee shall keep records sufficient to permit the tracing of funds to a level of expenditure adequate to ensure that funds have not been spent unlawfully.

d) Monthly Reports - Grantees shall submit an expenditure report to the Department no less frequently than the fifteenth calendar day of each month after the first month of the grant period.

e) Quarterly Reports - Grantees shall submit program reports to the Department by the 15th day following the end of each program quarter. Such reports shall meet the requirements of 45 CFR 1080.8 and shall be submitted on forms provided by the Department.

f) Other Reports - Grantees shall submit other programmatic reports as may be required by the Department.

g) Subcontracts and Subgrants - The Grantee's services, duties and responsibilities specified herein shall not be subcontracted or subgranted by the Grantee without prior written approval of the Department. Any subcontracts or subgrants shall comply with the provisions of the grant agreement, shall be in written form, and shall be submitted within 30 calendar days of execution for final approval.

h) Nonexpendable Personal Property - The Grantee shall not purchase nonexpendable personal property costing \$1,000 or more without the Department's prior approval. The Grantee may hold title in its name to all equipment or nonexpendable tangible personal property purchased with grant funds for program operation subject to the following: It is understood that nonexpendable personal property purchased by the Grantee with funds provided under the grant and nonexpendable personal property received from the grantor shall not be the property of the Grantee but shall be held by it in trust for the benefit of the people of the State of Illinois. As such, the Grantee shall not sell, abandon or otherwise dispose of such property without the prior written approval of the Department. Equipment shall be used on the original project as long as needed. While being used on the original project, equipment may be available for "shared use" with other activities, provided that use will not interfere with its use for the original project. When no longer needed for the original purpose, equipment may be used for other projects subject to the Department's written approval. The Grantee shall maintain appropriate property records and annually conduct an inventory of all equipment or nonexpendable personal property

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NOTICE OF PROPOSED RULES

purchased with grant funds. Upon the termination of the grant agreement and upon the election of the Department, the Grantee shall surrender possession of such property to the Department.

- i) Audits - The State requires an annual audit of each local Grantee's EHP program. These audits shall be conducted by auditors selected by the Grantee. Grantees classified as units of local government are subject to the Single Audit Act of 1984 (31 U.S.C. 7501-7507) and shall procure and manage their audits accordingly. Grantees which are nonprofits or institutions of higher learning shall conduct their audits in accordance with Office of Management and Budget Circular A-133 entitled "Audits of Institutions of Higher Education and Other Nonprofit Organizations", published in the Federal Register on March 1, 1991 at 56 FR 8712-8718. The audit shall be performed by an independent public accountant, certified and licensed by a regulatory authority of the State of Illinois. The audit shall be conducted in accordance with "Government Auditing Standards, Standards for Audit of Governmental Organizations, Programs, Activities, and Functions" (1988 revision) and the "Compliance Supplement for Single Audits of State and Local Governments" (April 1985). Further, the Department reserves the right to conduct special audits, at any time, of any funds expended under the grant agreement or of the Grantee's agency-wide financial statements. The Department shall have the right to examine corporate books and records which may be necessary to test the allocation equity of grant funds and to determine the ability of the Grantee to safeguard the funds. The Grantee shall fully cooperate, in a timely manner, in preparing for and conducting the audit and in the resolution of audit findings.

- j) Monitoring and Evaluation - The Department will periodically monitor and evaluate the Grantee for compliance with the rules, regulations, and conditions governing the grant agreement. The Grantee shall be evaluated to gauge its impact upon the homeless community and for the effective and efficient utilization of EHP funds. Evaluations shall occur both during the operation of the program and upon its completion.

- k) Nondiscrimination - For the purpose of this Part the provisions of 47 Ill. Adm. Code 120.90 are applicable.

Section 125.140 Complaint Process

In the event of an Applicant, Grantee, or EHP program eligible client complaint, the Department shall follow the procedures outlined in the 47 Ill. Adm. Code 10, with the exception of complaints relating to funding termination of CAAs. Those complaints and appeals shall follow the process described in 47 Ill. Adm. Code 120.55 of the CSBG Rules.

ENVIRONMENTAL PROTECTION AGENCY

NOTICE OF PROPOSED RULES

- 1) Heading of Part: Payment of Claims from the Underground Storage Tank Fund
- 2) Code Citation: 35 Ill. Adm. Code 876

3) Section Numbers: Proposed Action:

876.100	New Section
876.105	New Section
876.110	New Section
876.115	New Section
876.200	New Section
876.205	New Section
876.210	New Section
876.215	New Section
876.220	New Section
876.225	New Section

- 4) Statutory Authority: Section 22.18b of the Environmental Protection Act (Ill. Rev. Stat. 1991, ch. 111 1/2, par. 1022.18b as amended by P.A. 87-1088, effective September 15, 1992 and P.A. 87-1171, effective September 18, 1992).

- 5) A Complete Description of the Subjects and Issues Involved: Section 22.18b of the Illinois Environmental Protection Act sets forth requirements and conditions for receiving payment or reimbursement from the Illinois Underground Storage Tank Fund. The Illinois Environmental Protection Agency is responsible for the administration of the Illinois Underground Storage Tank Fund. Subsection 22.18b(f) authorizes the Agency to adopt reasonable and necessary rules for the administration of the Illinois Underground Storage Tank Fund. The proposed rules contain the requirements for seeking payment from the Illinois Underground Storage Tank Fund.

- 6) Will this proposed rule replace an emergency rule currently in effect? Yes

- 7) Does this rulemaking contain an automatic repeal date? Yes ☒ No

- 8) Does this proposed rule (amendment, repealer) contain incorporations by reference? No

- 9) Are there any other proposed amendments pending on this Part? No

- 10) Statement of Statewide Policy Objectives: These proposed rules do not create or enlarge a state mandate as defined in Section 3(b) of the State Mandates Act (Ill. Rev. Stat. 1991, ch. 85, par. 2033(b)), in that it is a voluntary program.

ENVIRONMENTAL PROTECTION AGENCY

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- 11) Time, Place, and Manner in which interested persons may comment on this proposed rulemaking: Persons who wish to submit comments on these proposed rules may submit them in writing by no later than 45 days after publication of this notice to:

Todd Rettig
Jeanne Heaton
Division of Legal Counsel
2200 Churchill Road
Post Office Box 19276
Springfield, Illinois 62794-9276

12) Initial Regulatory Flexibility Analysis:

- A) Date rule was submitted to the Business Assistance Office of the Department of Commerce and Community Affairs: November 24, 1992
- B) Types of small businesses affected: Small businesses that seek payment from the Illinois Underground Storage Tank Fund for corrective action costs.
- C) Reporting, bookkeeping or other procedures required for compliance: Owners and operators of leaking underground storage tanks seeking payment from the Illinois Underground Storage Tank Fund must provide an accounting of all corrective action costs for which access to the Illinois Underground Storage Tank Fund is sought. Furthermore, the owner and operator must submit reports concerning remedial activity at the site to the Illinois Environmental Protection Agency.
- D) Types of professional skills necessary for compliance: The services of a professional engineer are required for compliance with the proposed rules. A person with good recordkeeping or accounting skills can fill out the financial records and financial reports required by the proposed rules.

The full text of the Proposed Rule begins on the next page:

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TITLE 35: ENVIRONMENTAL PROTECTION
SUBTITLE G: WASTE HANDLING AND DISPOSAL
CHAPTER II: ENVIRONMENTAL PROTECTION AGENCY

PART 876

PAYMENT OF CLAIMS FROM THE UNDERGROUND STORAGE TANK FUND

SUBPART A: GENERAL

Section	Definitions
876.100	Applicability
876.105	Severability
876.110	Other Regulations
876.115	

SUBPART B: REQUIREMENTS FOR PAYMENT OF CLAIMS

Section	Eligibility Requirements
876.200	Deductible Amounts
876.205	Requests for Payment
876.210	Payment Prioritization
876.215	Aggregate Limitations
876.220	Alternative Technologies
876.225	

AUTHORITY: Implementing and authorized by Section 22.18b of the Environmental Protection Act ("Act") (Ill. Rev. Stat. 1991, ch. 111 1/2, par. 1022.18b, as amended by P.A. 87-1088, effective September 15, 1992, and by P.A. 87-1171, effective September 18, 1992).

SOURCE: Emergency Rule adopted at 16 Ill. Reg. 16191, effective October 6, 1992 for a maximum of 150 days, adopted at 16 Ill. Reg. _____, effective _____.

NOTE: Capitalization denotes statutory language.

SUBPART A: GENERAL

Section 876.100 Definitions

For purposes of this Part the words and terms used in this Part shall have the meanings given below. Words and terms not defined in this Part, if defined in the Act, shall have the meanings as defined in the Act. Words and terms not defined in this Part and not defined in the Act shall have the meanings as defined in 35 Ill. Adm. Code 731.

"An Accounting" means a compilation of documentation to establish, substantiate and justify the nature and extent of the corrective action costs incurred by an owner or operator.

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"Act" means the Illinois Environmental Protection Act (Ill. Rev. Stat. 1991, ch. 111 1/2, par. 1001 et seq., as amended by P.A. 87-1088, effective September 15, 1992 and by P.A. 87-1171, effective September 18, 1992).

"Agency" means the Illinois Environmental Protection Agency.

"Alternative technology" means A PROCESS OR TECHNIQUE, OTHER THAN CONVENTIONAL TECHNOLOGY, USED TO PERFORM A CORRECTIVE ACTION WITH RESPECT TO SOILS CONTAMINATED BY RELEASES OF PETROLEUM FROM AN UST. (Section 22.18b of the Act).

"Board" means the Illinois Pollution Control Board.

"Conventional technology" means A PROCESS OR TECHNIQUE USED TO PERFORM A CORRECTIVE ACTION BY REMOVAL, TRANSPORTATION AND DISPOSAL OF SOILS CONTAMINATED BY A RELEASE OF PETROLEUM FROM AN UST TANK IN ACCORDANCE WITH APPLICABLE LAWS AND REGULATIONS, BUT WITHOUT PROCESSING TO REMOVE PETROLEUM FROM THE SOILS. (Section 22.18b of the Act).

"Fund" means the Illinois Underground Storage Tank Fund as identified in Section 22.13 of the Act.

"IEMA" means the Illinois Emergency Management Agency.

"Legal Defense Costs" means all legal fees including legal fees incurred in seeking payment from the Fund, legal fees incurred in providing an interpretation of statutes or regulations, and legal fees incurred in representing an owner or operator in an enforcement, indemnification or request for payment matter. Legal defense costs do not include legal fees incurred in obtaining easements for the provision of an alternate water supply.

"Occurrence" means any release of petroleum from an underground storage tank including any additional release(s) identified in the course of performing corrective action activities in response to a release(s) of petroleum.

"Official signatory" means and is limited to a principal executive officer of a corporation, the proprietor of a sole proprietorship, or a principal executive officer or ranking elected official of a municipal, state or other public agency.

"Operator" means ANY PERSON IN CONTROL OF, OR HAVING RESPONSIBILITY FOR, THE DAILY OPERATION OF THE UST. (Hazardous and Solid Waste Amendments of 1984 (P.L. 98-616), of the Resource Conservation and Recovery Act of 1976 (P.L. 94-850) (42 U.S.C. 9001)). Daily

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operation includes the input or output of petroleum from an UST during the regular course of its usage and the removal and closure of an UST, in accordance with 35 Ill. Adm. Code 731 and 40 Ill. Adm. Code 170.

"OSFM" means Office of the State Fire Marshal.

"Owner" means:

IN THE CASE OF AN UNDERGROUND STORAGE TANK IN USE ON November 8, 1984, OR BROUGHT INTO USE AFTER THAT DATE, ANY PERSON WHO OWNS AN UST USED FOR THE STORAGE, USE OR DISPENSING OF REGULATED SUBSTANCES;

IN THE CASE OF ANY UNDERGROUND STORAGE TANK IN USE BEFORE November 8, 1984, BUT NO LONGER IN USE ON that date, ANY PERSON WHO OWNED SUCH UST IMMEDIATELY BEFORE THE DISCONTINUATION OF ITS USE (Hazardous and Solid Waste Amendments of 1984 (P.L. 98-616), of the Resource Conservation and Recovery Act of 1976 (P.L. 94-850) (42 U.S.C. 9001)); and

Any person who has legal or equitable title to an underground storage tank which currently holds or previously held petroleum.

"Owner" and "Operator" include:

ANY SUBSIDIARY, PARENT, OR JOINT STOCK COMPANY OF THE OWNER OR OPERATOR;

ANY COMPANY OWNED BY ANY PARENT, SUBSIDIARY, OR JOINT STOCK COMPANY OF THE OWNER OR OPERATOR (Section 22.18b of the Act); and

Units of government.

"Registration" means REGISTRATION of an underground storage tank with the OSFM IN ACCORDANCE WITH SECTION 4 OF THE GASOLINE STORAGE ACT. (Section 22.18b of the Act).

"Residential Unit" means a unit used primarily for dwelling purposes; it includes a multi-unit dwelling such as an apartment building, a condominium, a cooperative or a dormitory.

"Site" means any single location, place, tract of land or parcel of property including contiguous property not separated by a public right of way.

"Time and Materials Cost Basis" means an hourly or daily rate for labor, equipment and other direct costs, which includes the base rate, indirect cost rate and profit rate, calculated in accordance

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with generally accepted accounting principles. For generally accepted accounting principles see the text "HBJ Miller Comprehensive GAAP Guide" by Martin A. Miller, published by Harcourt, Brace and Jovanovich, Jan R. Williams and Martin A. Miller, eds. (1992).

"UST" means an underground storage tank as defined in Section 22.18(e)(1)(A) of the Act.

Section 876.105 Applicability

This Part sets forth rules establishing procedures and requirements for the submission of claims for payment from the Fund of costs of corrective action or indemnification incurred by owners or operators of an UST as a result of a release of petroleum from an UST.

Section 876.110 Severability

If any Section, subsection, sentence or clause of this Part shall be adjudged unconstitutional, invalid or otherwise not effective for any reason, such adjudication shall not affect the validity of this Part as a whole or of any Section, subsection, sentence or clause thereof not adjudged unconstitutional, invalid or otherwise not effective for any reason.

Section 876.115 Other Regulations

- a) Corrective action which is necessary or appropriate to protect human health and the environment requires compliance with all applicable federal, state or local statutory and regulatory requirements.
- b) The owner or operator shall submit verification sufficient to assure compliance with all applicable federal, state or local statutory and regulatory requirements.
- c) Regulatory requirements which may be applicable in the performance of corrective action include, but are not limited to, the following:
 - 1) For removal of petroleum contaminated material from the site for storage, disposal or treatment, compliance with:
 - A) Requirements under 35 Ill. Adm. Code 809, relating to special waste manifesting;
 - B) Requirements under 35 Ill. Adm. Code 809, relating to special waste manifesting; and
 - C) Requirements under 35 Ill. Adm. Code Subtitle G, relating to supplemental waste stream permits.

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- 2) For on site treatment of petroleum contaminated material compliance with:

- A) Applicable requirements under 35 Ill. Adm. Code Subtitle B: Air Pollution, relating to emission of air pollutants and use of air pollution control equipment;
- B) Applicable requirements under 35 Ill. Adm. Code Subtitle C: Water Pollution, relating to treatment of contaminated groundwater or wastewater generated during corrective action for discharge to a sanitary sewer, storm sewer, surface water or ground surface; and
- C) Applicable requirements under 35 Ill. Adm. Code Subtitle G: Waste Disposal, relating to on-site handling of petroleum contaminated waste material.

SUBPART B: REQUIREMENTS FOR PAYMENT OF CLAIMS

Section 876.200 Eligibility Requirements

- a) AN OWNER OR OPERATOR IS ELIGIBLE TO RECEIVE MONEY FROM THE FUND FOR COSTS OF CORRECTIVE ACTION OR INDEMNIFICATION ONLY IF ALL OF THE FOLLOWING REQUIREMENTS ARE SATISFIED:

- 1) NEITHER THE OWNER NOR OPERATOR OF THE UST IS THE UNITED STATES GOVERNMENT.
- 2) THE UST DOES NOT CONTAIN FUEL WHICH IS EXEMPT FROM THE PROVISIONS OF SECTION 2a OF THE MOTOR FUEL TAX LAW. (Section 22.18b of the Act). The Motor Fuel Tax Law exempts from the Section 2a tax:
 - A) AVIATION FUELS AND KEROSENE received AT AIRPORTS WITH OVER 300,000 OPERATIONS PER YEAR, LOCATED IN A CITY OF MORE THAN 1,000,000 INHABITANTS FOR SALE TO OR USE BY HOLDERS OF CERTIFICATES OF PUBLIC CONVENIENCE AND NECESSITY, ISSUED BY THE UNITED STATES DEPARTMENT OF TRANSPORTATION, AND THEIR AIR CARRIER AFFILIATES, OR AVIATION FUELS AND KEROSENE received AT FACILITIES OWNED OR LEASED BY THOSE CERTIFICATE HOLDERS AND USED IN THEIR ACTIVITIES AT AN AIRPORT DESCRIBED ABOVE; OR
 - B) DIESEL FUEL received BY A RAIL CARRIER, REGISTERED PURSUANT TO SECTION 18c-7201 OF THE ILLINOIS VEHICLE CODE, AND USED DIRECTLY IN RAILROAD OPERATIONS. (Ill. Rev. Stat. 1991, ch. 120, par. 418a).

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3) THE COSTS OF CORRECTIVE ACTION OR INDEMNIFICATION WERE INCURRED BY AN OWNER OR OPERATOR AS A RESULT OF A RELEASE OF PETROLEUM, BUT NOT INCLUDING ANY HAZARDOUS SUBSTANCE, FROM AN UST.

4) THE OWNER OR OPERATOR HAS REGISTERED THE UST IN ACCORDANCE WITH SECTION 4 OF THE GASOLINE STORAGE ACT, (Ill. Rev. Stat. 1991, ch. 127 1/2, par. 154) AND PAID INTO THE FUND ALL FEES REQUIRED FOR THE UST IN ACCORDANCE WITH SECTIONS 4 AND 5 OF THAT ACT (Ill. Rev. Stat. 1991, ch. 127 1/2, par. 154 and 155) AND REGULATIONS ADOPTED BY THE OSFM AT 41 Ill. Adm. Code 170. (Section 22.18b of the Act). The Agency will obtain from the OSFM registration and fee payment documentation. The Agency shall not approve payment for costs resulting from the release of petroleum from an UST which has not been registered with the OSFM pursuant to 41 Ill. Adm. Code 170.

5) THE RELEASED PETROLEUM IS WITHIN ONE OR MORE OF THE FOLLOWING CATEGORIES:

A) FUEL, AS THAT TERM IS DEFINED IN SECTION 1.19 OF THE MOTOR FUEL TAX LAW, (Ill. Rev. Stat. 1991, ch. 120, par. 417.19).

B) AVIATION FUELS, HEATING OIL, OR KEROSENE; OR

C) USED OIL. FOR PURPOSES OF THIS SECTION, "USED OIL" MEANS ANY OIL THAT HAS BEEN REFINED FROM CRUDE OIL USED IN A MOTOR VEHICLE, AS THAT TERM IS DEFINED IN SECTION 1.3 OF THE MOTOR FUEL TAX LAW, (Ill. Rev. Stat. 1991, ch. 120, par. 417.3), AND THAT, AS A RESULT OF THAT USE, IS CONTAMINATED BY PHYSICAL OR CHEMICAL IMPURITIES.

6) FOR COSTS OF INDEMNIFICATION, IN ADDITION TO ITEMS (1) THROUGH (5), THE PROVISIONS OF SECTION 22.18b(e) OF THE ACT HAVE BEEN MET.

b) NOTWITHSTANDING SUBSECTION (a) ABOVE, NO OWNER OR OPERATOR IS ELIGIBLE TO RECEIVE MONEY FROM THE FUND FOR COSTS OF INDEMNIFICATION OR CORRECTIVE ACTION FOR ANY UNDERGROUND STORAGE TANK INSTALLED AFTER JULY 28, 1989, UNLESS THE OWNER OR OPERATOR DEMONSTRATES TO THE AGENCY THAT THE TANK WAS INSTALLED AND OPERATED IN ACCORDANCE WITH 41 Ill. Adm. Code 170.

c) FOR PURPOSES OF THIS SUBSECTION (b) ABOVE, CERTIFICATION BY THE OSFM THAT THE UNDERGROUND STORAGE TANKS WERE INSTALLED IN ACCORDANCE WITH 41 Ill. Adm. Code 170 SHALL BE PRIMA FACIE EVIDENCE THAT THE OWNER OR OPERATOR SO INSTALLED SUCH UNDERGROUND STORAGE TANKS. (Section 22.18b of the Act).

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d) An owner or operator may apply for an eligibility determination by sending an application to the Agency at the following address:

UST Eligibility Determinations
Leaking Underground Storage Tank Section
Division of Remediation Management
Bureau of Land
Illinois Environmental Protection Agency
2200 Churchill Road
P.O. Box 19276
Springfield, IL 62794-9276

e) An owner or operator applying for an eligibility determination shall provide the following information on the original form provided by the Agency:

1) Name and mailing address of the UST owner or operator;

2) Name and address of the site;

3) Agency generator identification number;

4) IEMA incident number for which payment or reimbursement is sought;

5) Any other IEMA incident number(s) for occurrences reported at the site;

6) Name, mailing address and telephone number of the current site owner;

7) Date the site was purchased by the current site owner;

8) Name, mailing address and telephone number of the previous UST owner and operator;

9) Name of the person reporting the incident to IEMA for which the applicant is seeking payment or reimbursement;

10) Number of USTs at the site, including those USTs present at the site and those USTs previously removed from the site;

11) Number of USTs at the site that have had a release, including USTs currently at the site and USTs previously removed from the site;

12) Type of release;

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- 13) Whether the UST owner or operator is the United States Government;
- 14) Whether the UST owner or operator is a rail carrier registered pursuant to Section 18c-7201 of the Illinois Vehicle Code (Ill. Rev. Stat. 1991, ch. 95 1/2, par. 18c-7201);
- 15) Whether the UST is located at an airport with more than 300,000 operations per year and in a city of more than 1,000,000 inhabitants;
- 16) The date corrective action activity began;
- 17) Amount of corrective action costs incurred prior to July 28, 1989;
- 18) The address at which the owner or operator wants to receive payment;
- 19) A notarized certification, pursuant to Section 44 of the Act, completed by the owner or operator or the owner or operator's official signatory;
- 20) OSFM site identification number; and
- 21) Information concerning each UST at the site, including USTs currently at the site and USTs previously removed from the site. This information shall include, but not be limited to, the following:
 - A) The chemical and physical nature of the contents of each UST at the site;
 - B) The capacity, in gallons, of each UST at the site;
 - C) The date of installation for each UST at the site;
 - D) The date each UST at the site was taken out of service;
 - E) The date each UST at the site was removed;
 - F) The date each UST at the site was registered with the OSFM;
 - G) The date IEMA was notified of any release from a UST at the site;
 - H) Whether the UST registration fee imposed by the the OSFM has been paid for each UST at the site;

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- I) Whether each UST at the site has experienced a release; and
- J) Whether each UST at the site was legally abandoned or closed in place.
- f) An owner or operator applying for an eligibility determination shall provide the Agency with written proof of written notification to the site owner of the release of petroleum and of any corrective action activities undertaken at the site.
- g) The Agency shall determine the eligibility of an owner or operator to access the Fund pursuant to the law in effect on the date the Agency issues its written eligibility determination.

Section 876.205 Deductible Amounts

- a) If an owner or operator submits a claim for payment under this Part, the Agency shall deduct from the amount approved for payment an amount as set forth in this Section.
- b) The DEDUCTIBLE AMOUNT SHALL APPLY ANNUALLY, per calendar year, FOR EACH SITE AT WHICH COSTS WERE INCURRED UNDER A CLAIM SUBMITTED PURSUANT TO THIS Part.
- c) Notwithstanding subsection (b) above, IF CORRECTIVE ACTION IN RESPONSE TO AN OCCURRENCE commences after July 28, 1989 and continues OVER A PERIOD OF MORE THAN ONE calendar year, IN SUBSEQUENT YEARS NO additional DEDUCTIBLE SHALL APPLY FOR COSTS INCURRED IN RESPONSE TO SUCH OCCURRENCE. (Section 22.18b of the Act).
- d) The standard deductible amount is \$10,000 for each site.
- e) Notwithstanding subsection (d) above, there shall be a \$100,000 deductible or a \$15,000 deductible assessed in the following circumstances:
 - 1) If all USTs at the site on July 28, 1989, were non-heating oil USTs the following provisions apply:
 - A) IF PRIOR TO JULY 28, 1989, THE OWNER OR OPERATOR HAD REGISTERED NONE OF THE USTs AT THE SITE ON THAT DATE, THE DEDUCTIBLE AMOUNT SHALL BE \$100,000 RATHER THAN \$10,000. AFTER THE \$100,000 DEDUCTIBLE AMOUNT HAS BEEN PAID, any additional deductible assessed at the site shall be in accordance with subsections (b), (c), and (d) of this Section; or
 - B) IF PRIOR TO JULY 28, 1989, THE OWNER OR OPERATOR HAS REGISTERED ONE OR MORE BUT NOT ALL OF THE USTs AT THE SITE

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ON THAT DATE, THE DEDUCTIBLE AMOUNT SHALL BE \$15,000 RATHER THAN \$10,000. AFTER THE \$15,000 DEDUCTIBLE AMOUNT HAS BEEN PAID, any additional deductible assessed at the site shall be in accordance with subsections (b), (c) and (d) of this Section. (Section 22.18b of the Act).

- 2) If all USTs at the site on July 1, 1992, were heating oil USTs the following provisions apply:

- A) If prior to July 1, 1992, the owner or operator had registered none of the USTs at the site on that date, the deductible amount shall be \$100,000 rather than \$10,000. After the \$100,000 deductible amount has been paid, any additional deductible assessed at the site shall be in accordance with subsections (b), (c) and (d) of this Section.; or
- B) If prior to July 1, 1992, the owner or operator had registered one or more but not all of the USTs at the site on that date, the deductible amount shall be \$15,000 rather than \$10,000. After the \$15,000 deductible amount has been paid, any additional deductible assessed at the site shall be in accordance with subsections (b), (c), and (d) of this Section.

- f) If a claim is submitted for a site which contains or contained a combination of heating oil USTs and non-heating oil USTs, a single deductible shall be assessed. The greater of the following two calculations shall be assessed as the deductible amount:

- 1) For the non-heating oil USTs at the combination site, the amount will be calculated in accordance with subsections (d), (e)(1)(A), or (e)(1)(B) of this Section; or
- 2) For the heating oil USTs at the combination site, the amount will be calculated in accordance with subsection (d), (e)(2)(A) or (e)(1)(B) of this Section.

- g) Notwithstanding subsections (e) and (f) of this Section, the deductible amount shall be \$10,000, in accordance with subsection 22.18b(d)(3)(B)(iv) of the Act, if:

- 1) The release of petroleum occurred at a site that contained only:
- A) Non-heating oil USTs installed and operated after July 28, 1989, in accordance with rules adopted by the OSFM;
- B) Heating oil USTs installed and operated after July 1, 1992, in accordance with rules adopted by the OSFM; or

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- C) A combination of the tanks described in subsection (g)(1)(A) and (B) above;

- 2) An owner or operator previously incurred corrective action costs for corrective action activity at the site and received written notification from the Agency confirming that Agency established cleanup objectives have been met; and

- 3) The previous corrective action costs for corrective action activity at the site for which an owner or operator was determined to be eligible for payment or reimbursement from the Fund did not exceed the assessed deductible amount.

- h) Notwithstanding subsection (d) above, IF THE COSTS INCURRED WERE IN RESPONSE TO A RELEASE OF PETROLEUM FOR WHICH THE STATE RECEIVED NOTIFICATION PRIOR TO JULY 28, 1989, THE DEDUCTIBLE AMOUNT SHALL BE \$50,000 RATHER THAN \$10,000, unless a \$100,000 deductible is assessed pursuant to subsection (e)(1)(A), (e)(2)(A) or (f) of this Section.

- i) IF THE OWNER OR OPERATOR INCURRED \$100,000 OR MORE IN COSTS PRIOR TO JULY 28, 1989 FOR THE PERFORMANCE OF CORRECTIVE ACTION MEASURES AT A SITE FOR WHICH A CLAIM IS SUBMITTED, NO DEDUCTIBLE SHALL APPLY UNDER subsections (b), (c) and (d) FOR THE FIRST OCCURRENCE FOR WHICH A CLAIM IS SUBMITTED.

- j) THE AGENCY SHALL DETERMINE THE APPLICABLE DEDUCTIBLE UNDER THIS SECTION AS OF THE DATE THAT A COMPLETE REQUEST FOR PARTIAL OR FINAL PAYMENT UNDER SECTION 876.210 IS RECEIVED BY THE AGENCY.

- k) IF AN OWNER OR OPERATOR COMPLETES CORRECTIVE ACTION ON SOILS USING AN ALTERNATIVE TECHNOLOGY APPROVED BY THE AGENCY WITHIN 3 YEARS AFTER THE DATE OF APPROVAL AND IF THE OWNER OR OPERATOR DEMONSTRATES THAT THE COSTS PAYABLE UNDER THIS SECTION USING THE ALTERNATIVE TECHNOLOGY WERE MORE THAN \$5000 LESS THAN THE COSTS PAYABLE UNDER SECTION 876.225 OF THIS PART USING A CONVENTIONAL TECHNOLOGY, THE OWNER OR OPERATOR SHALL BE ELIGIBLE TO RECEIVE A REDUCTION OF \$5000 IN THE APPLICABLE DEDUCTIBLE AMOUNT. (Section 22.18b of the Act).

Section 876.210 Requests for Payment

- a) Requests for partial or final payment for claims for costs of corrective action incurred by an owner or operator as a result of a release of petroleum from an UST shall be sent to the Agency at the address set forth in subsection (j) of this Section. An owner or operator shall submit a request for partial or final payment regarding a site no more frequently than once every 90 days and no sooner than 90 days after the date the Agency issues a written eligibility determination. Requests shall satisfy all of the following:

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- 1) The owner and operator are eligible pursuant to Section 876.200 of this Part.
- 2) APPROVAL OF THE PAYMENTS REQUESTED WILL NOT RESULT IN THE LIMITATIONS SET FORTH IN Section 876.220 of this Part BEING EXCEEDED.
- 3) THE OWNER OR OPERATOR PROVIDED AN ACCOUNTING OF ALL COSTS, DEMONSTRATED THAT THE COSTS INCURRED TO PERFORM THE CORRECTIVE ACTION WERE REASONABLE AND PROVIDED PROOF OF PAYMENT OF THE APPLICABLE DEDUCTIBLE AMOUNT as determined by Section 876.205 of this Part. THE ACCOUNTING OF THOSE COSTS SHALL BE PROVIDED TO THE AGENCY ON A TIME AND MATERIALS COST BASIS or by another accounting method approved in writing by the Agency prior to submission of the request for partial or final payment, on a form prescribed by the Agency. (Section 22.18b of the Act).
- 4) THE OWNER OR OPERATOR or authorized representative NOTIFIED IEMA OF THE RELEASE OF PETROLEUM from an UST IN ACCORDANCE WITH the requirements of 35 Ill. Adm. Code 731 and 41 Ill. Adm. Code 170.
- 5) THE OWNER OR OPERATOR NOTIFIED THE AGENCY OF ANY INITIAL CORRECTIVE MEASURES TAKEN AND DEMONSTRATED SUCH MEASURES TO BE CONSISTENT WITH THE FINAL CORRECTIVE ACTION APPROVED BY THE AGENCY AND PERFORMED THE CORRECTIVE ACTION IN ACCORDANCE WITH THE PLANS APPROVED BY THE AGENCY.
- 6) THE OWNER OR OPERATOR SUBMITTED PLANS FOR FINAL CORRECTIVE ACTION TO THE AGENCY AND PERFORMED THE CORRECTIVE ACTION IN ACCORDANCE WITH THE PLANS APPROVED BY THE AGENCY. (Section 22.18b of the Act). The owner or operator must obtain written Agency approval of a corrective action plan prior to commencing any corrective action activities, except that the owner or operator may incur corrective action costs prior to approval of a corrective action plan for costs associated with:
 - A) Preparing a 20 day report pursuant to 35 Ill. Adm. Code 731.162;
 - B) Preparing a 45 day report pursuant to 35 Ill. Adm. Code 731.163;
 - C) Preparing a corrective action plan pursuant to 35 Ill. Adm. Code 731.166;
 - D) Taking actions to address free product removal pursuant to 35 Ill. Adm. Code 731.164;

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- E) Taking initial abatement measures pursuant to 35 Ill. Adm. Code 731.162; or
 - F) Installing and operating of up to four groundwater monitoring wells.
- b) WHERE THE OWNER OR OPERATOR REQUESTS PAYMENT FOR COSTS OF INDEMNIFICATION incurred as a result of a release of petroleum from an UST, IF THE OWNER OR OPERATOR HAS SATISFIED THE REQUIREMENTS OF subsection (a) of this Section, THE AGENCY SHALL FORWARD A COPY OF THE REQUEST TO THE ATTORNEY GENERAL. (Section 22.18b of the Act).
- c) Pursuant to this Part, the Agency shall only approve payment of costs to achieve corrective action objectives which are necessary to protect public health or the environment as provided in:
- 1) A Maximum Contaminant Level set forth in 40 CFR 141, 142 or 143 (1989);
 - 2) A Maximum Allowable Concentration set forth in 35 Ill. Adm. Code 611;
 - 3) A groundwater quality standard set forth in 35 Ill. Adm. Code 620;
 - 4) A surface water quality standard set forth in 35 Ill. Adm. Code Subtitle C; or
 - 5) An air quality standard set forth in 35 Ill. Adm. Code Subtitle B.
- d) The following are corrective action activities:
- 1) Engineering oversight services;
 - 2) Remedial investigation and design;
 - 3) Feasibility studies;
 - 4) Laboratory charges necessary to determine whether Agency established corrective action objectives have been met;
 - 5) Installation and operation of up to four groundwater monitoring wells;
 - 6) The removal, treatment, transportation, and disposal of soil contaminated by petroleum at levels in excess of the Agency established corrective action objectives;

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- 7) The removal, treatment, transportation, and disposal of water contaminated by petroleum at levels in excess of Agency established corrective action objectives;
 - 8) The provision of clean backfill to grade to replace excavated soil contaminated by petroleum at levels in excess of Agency established corrective action objectives;
 - 9) Groundwater corrective action systems, if approved in writing by the Agency prior to installation and operation;
 - 10) Alternative technology if approved in writing by the Agency prior to installation and performance;
 - 11) Recovery of free phase petroleum from groundwater;
 - 12) The removal and disposal of any UST if a release of a petroleum from the UST was identified and IEMA was notified prior to any removal activity;
 - 13) The destruction or dismantling and reassembling of above grade structures in response to a release of petroleum. A professional engineer must certify that such activity is necessary to perform the corrective action and the owner or operator must receive prior written Agency approval. Destruction, dismantling and reassembly of above grade structures does not include costs associated with replacement of concrete, asphalt, paving, pumps, pump islands and canopies;
 - 14) Activity consistent with an Agency approved corrective action plan; and
 - 15) Activity for which costs are incurred after notification of IEMA by the owner, operator or authorized representative in accordance with the requirements of 35 Ill. Adm. Code 731 and 41 Ill. Adm. Code 170.
- e) The owner or operator may submit a request for partial or final payment to the Agency pursuant to the requirements established by this Part that includes an accounting of costs associated with activities not identified in subsection (d) above, if the owner or operator submits detailed information proving that the activities not identified in subsection (d) above represent corrective action activities.
- f) The following are not corrective action costs:
- 1) Costs paid under a policy of insurance or other agreement;

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- 2) Costs or losses resulting from business interruption;
- 3) Costs incurred as a result of vandalism, theft or fraudulent activity including spills, leaks or releases;
- 4) Costs associated with UST removal and release remediation if the requirements of Section 876.200 of this Part have not been satisfied;
- 5) Costs associated with the replacement of above grade structures including, but not limited to, concrete, asphalt, paving, pumps, pump islands and canopies;
- 6) Costs for which the owner or operator failed to supply supporting documentation detailing the corrective action activity such as technical reports, invoices, receipts, personnel reports, and time sheets;
- 7) Costs incurred prior to July 28, 1989;
- 8) Costs associated with procurement of a generator identification number;
- 9) Costs associated with owner or operator compliance with regulations promulgated under the authority granted the OSFM;
- 10) Legal and technical costs associated with seeking reimbursement or payment from the Fund;
- 11) Costs associated with landscaping;
- 12) Finance charges incurred as part of corrective action activities other than those included in the time and materials cost basis or in the handling charge FOR SUBCONTRACTS AND FIELD PURCHASES WHEN THE CHARGE DOES NOT EXCEED THE AMOUNTS SET FORTH IN the Act. (Section 22.18b of the Act);
- 13) Costs associated with stand-by charges or demurrage charges;
- 14) Costs associated with the repair or replacement of utility equipment;
- 15) Costs associated with the repair or replacement of above grade structures damaged during corrective action activities;
- 16) Costs associated with complying with local, state or federal permitting requirements (other than costs associated with Agency or Illinois Department of Transportation permitting

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requirements, if in accordance with an Agency approved corrective action plan);

- 17) Purchase costs of non-expendable supplies, equipment or tools;
- 18) Costs associated with obtaining or maintaining insurance other than those included in the time and materials cost basis or in the handling charge FOR SUBCONTRACTS AND FIELD PURCHASES WHEN THE CHARGE DOES NOT EXCEED THE AMOUNTS SET FORTH IN the Act. (Section 22.18b of the Act);
- 19) Costs associated with topographic surveys of the site not approved in writing by the Agency prior to performance;
- 20) Costs associated with personnel, materials or equipment not directly related to actual corrective action activity at the site, other than those included in the time and materials cost basis or in the handling charge FOR SUBCONTRACTS AND FIELD PURCHASES WHEN THE CHARGE DOES NOT EXCEED THE AMOUNTS SET FORTH IN the Act. (Section 22.18 of the Act);
- 21) Costs associated with activities which violate any provision of the Act or Board or Agency regulations;
- 22) Legal defense costs;
- 23) Costs associated with personnel travel to and from the site including mileage, airfare or trainfare, meals, lodging and per diem;
- 24) COSTS associated with preventive action, enforcement action or other action taken BY THE STATE OF ILLINOIS AFTER ISSUANCE OF A NOTICE PURSUANT TO SECTION 4(v) OF THIS ACT FOR WHICH AN OWNER OR OPERATOR, OR BOTH, MAY BE LIABLE UNDER SECTION 22.18 of the Act;
- 25) COSTS FOR REMOVAL and disposal OF AN UST IF THE TANK WAS REMOVED OR PERMITTED FOR REMOVAL BY THE OSFM BEFORE THE OWNER OR OPERATOR PROVIDED NOTICE to IEMA OF A RELEASE OF PETROLEUM. (Section 22.18b of the Act);
- 26) Costs associated with compliance with OSFM regulatory or statutory requirements including, but not limited to, the installation of new USTs and the repair of existing USTs;
- 27) Handling charges except for ADMINISTRATIVE, INSURANCE AND INTEREST COSTS AND A REASONABLE PROFIT FOR PROCUREMENT, OVERSIGHT, AND PAYMENT OF SUBCONTRACTS AND FIELD PURCHASES WHEN

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THE CHARGE DOES NOT EXCEED THE AMOUNTS SET FORTH IN Section 22.18b(1) of the Act;

- 28) Costs associated with the installation and operation of more than four groundwater monitoring wells, unless approved in writing by the Agency prior to performance;
- 29) Costs not in accordance with an Agency approved corrective action plan;
- 30) Costs incurred prior to notification of IEMA by the owner, operator or authorized representative in accordance with the requirements of 35 Ill. Adm. Code 731 and 41 Ill. Adm. Code 170;
- 31) Costs associated with the removal of, disposal of and corrective action activities attributable to an UST for which the owner or operator was deemed ineligible to access the Fund;
- 32) Rush or express costs for laboratory samples not used to demonstrate closure of the excavation or completion of corrective action activities, unless approved in writing by the Agency prior to performance;
- 33) Costs associated with seeking payment or reimbursement from the Fund, including, but not limited to, completion of the application for payment or reimbursement, and completion and submission of a request for partial or final payment from the Fund;
- 34) Costs associated with the compaction and density testing of backfill material;
- 35) Costs associated with general contracting activity undertaken by the owner or operator;
- 36) Costs associated with obtaining manifest forms in excess of those fees charged by the Agency;
- 37) Express shipping or mailing of laboratory samples, unless the owner or operator demonstrates these activities were necessary for the continuation or completion of corrective action activities at the site; and
- 38) Other costs associated with activities which are not actions TO STOP, MINIMIZE, ELIMINATE, OR CLEAN UP A RELEASE OF PETROLEUM OR ITS EFFECTS AS MAY BE NECESSARY OR APPROPRIATE TO PROTECT HUMAN HEALTH AND THE ENVIRONMENT. (Section 22.18b of the Act).

g) The Agency may apportion payment of corrective action costs if:

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- 1) The owner or operator was deemed eligible to access the Fund for payment of corrective action costs for some but not all of the USIs at the site; and
- 2) The owner or operator failed to provide an accounting of all corrective action costs which are attributable to each USI at the site.
- h) If an owner or operator submits a subsequent claim for payment, after previously receiving an excess payment from the Fund, the Agency shall deduct the excess payment amount from the approved subsequent payment amount. An excess payment from the Fund includes, but is not limited to:

- 1) Payment for a non-corrective action cost;
- 2) Payment in excess of the aggregate limitations set forth in Section 876.220 of this Part;
- 3) Payment received through fraudulent means;
- 4) Payment calculated on the basis of an arithmetic error; or
- 5) Payment calculated by the Agency in reliance on incorrect information.

- i) The Agency may deem an excess payment, as identified in subsection (h) above, to be a claim or debt owed the Agency and the Agency may utilize the Comptroller's Setoff System for collection of the claim or debt in accordance with the "Illinois State Collection Act of 1986." (Ill. Rev. Stat. 1991, ch. 15, par. 152-158).

- j) Requests for payment under this Part must be sent to the Agency at the following address:

LUST Payment Request
Remedial Projects Accounting and Procurement Unit
Division of Remediation Management
Bureau of Land
Illinois Environmental Protection Agency
2200 Churchill Road
P.O. Box 19276
Springfield, IL 62794-9276

- k) The Agency shall determine an owner or operator's eligibility to access the Fund for corrective action costs pursuant to the law in effect on the date the Agency issues a written payment determination concerning a complete request for partial or final payment.

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Section 876.215 Payment Prioritization

- a) UPON RECEIPT OF NOTIFICATION FROM THE AGENCY THAT THE REQUIREMENTS OF THIS PART HAVE BEEN MET, THE COMPTROLLER SHALL MAKE PAYMENT TO THE OWNER OR OPERATOR OF THE AMOUNT APPROVED BY THE AGENCY, IF SUFFICIENT MONEY EXISTS IN THE FUND IN EXCESS OF AMOUNTS APPROPRIATED FOR ADMINISTERING THE ACTIVITIES OF THE AGENCY, THE STATE FIRE MARSHAL AND THE DEPARTMENT OF REVENUE RELATIVE TO THE FUND. IF THERE IS INSUFFICIENT MONEY IN THE FUND, THEN PAYMENT SHALL NOT BE PAID; HOWEVER, SUCH PAYMENTS MAY BE PAID IN ACCORDANCE WITH THE PROCESS FOR PRIORITIZING CLAIMS IN SUBSECTION (b) BELOW IF SUFFICIENT MONEY LATER BECOMES AVAILABLE.

IN NO CASE SHALL THE FUND OR THE STATE OF ILLINOIS BE LIABLE TO PAY CLAIMS OR REQUESTS FOR COSTS OF CORRECTIVE ACTION OR INDEMNIFICATION IF MONEY IN THE FUND IS INSUFFICIENT TO MEET SUCH CLAIMS OR REQUESTS. (Section 22.18b of the Act).

- b) The priority for processing claims will be based on the date that a complete request for partial or final payment is received from the owner or operator by the Remedial Projects Accounting and Procurement Unit, Division of Remediation Management, Bureau of Land, Illinois Environmental Protection Agency.

- 1) For purposes of processing prioritization, a complete request for partial or final payment must contain:

- A) Proof of an Agency approved corrective action plan prepared in accordance with 35 Ill. Adm. Code 731;
- B) Proof of an Agency determination of eligibility in accordance with Section 876.200 of this Part;
- C) An accounting of all costs, in a form prescribed by the Agency, and a demonstration that the costs incurred to perform the corrective action were reasonable;
- D) An owner or operator billing certification on a form provided by the Agency;
- E) Proof of payment of the applicable deductible amount;
- F) A corrective action plan certification, on a form provided by the Agency, by a professional engineer who has been registered pursuant to "An Act to Regulate the Practice of Professional Engineering" (Ill. Rev. Stat. 1991, ch. 111, par. 5101 et seq.); and

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- G) A completed private insurance coverage questionnaire and certification on forms provided and prescribed by the Agency.
- H) A federal taxpayer identification number and legal status disclosure certification on a form provided by the Agency.
- 2) If the owner or operator appeals a final Agency payment determination and it is determined that the owner or operator is eligible for payment or additional payment, the priority date for the payment or additional payment will be the same as the priority date assigned to the original request for partial or final payment.

Section 876.220 Aggregate Limitations

- a) 1) THE AGENCY SHALL NOT APPROVE PAYMENT TO AN OWNER OR OPERATOR FROM THE FUND OF COSTS OF CORRECTIVE ACTION OR INDEMNIFICATION INCURRED DURING A CALENDAR YEAR IN EXCESS OF THE FOLLOWING AGGREGATE AMOUNTS BASED ON THE NUMBER OF PETROLEUM UNDERGROUND STORAGE TANKS OWNED OR OPERATED BY SUCH OWNER OR OPERATOR IN ILLINOIS:

AMOUNT	NUMBER OF TANKS
\$1,000,000	FEWER THAN 101
\$2,000,000	101 OR MORE

- 2) COSTS INCURRED IN EXCESS OF THE AGGREGATE AMOUNTS SET FORTH IN subsection (a)(1) above SHALL NOT BE ELIGIBLE FOR PAYMENT IN SUBSEQUENT YEARS. (Section 22.18b of the Act).
- b) THE AGENCY SHALL NOT APPROVE ANY PAYMENT FROM THE FUND TO REIMBURSE AN OWNER OR OPERATOR:
 - 1) FOR COSTS OF CORRECTIVE ACTION INCURRED BY SUCH OWNER OR OPERATOR IN AN AMOUNT IN EXCESS OF \$1,000,000 PER OCCURRENCE; AND
 - 2) FOR COSTS OF INDEMNIFICATION OF SUCH OWNER OR OPERATOR IN AN AMOUNT IN EXCESS OF \$1,000,000 PER OCCURRENCE.
- c) NOTWITHSTANDING subsection (b) of this Section, THE AGENCY SHALL NOT APPROVE ANY PAYMENT FROM THE FUND WHICH WOULD RESULT IN THE ANNUAL AGGREGATE LIMITATIONS IN subsection (a) of this Section BEING EXCEEDED. (Section 22.18c of the Act).
- d) For purposes of the aggregate limitations in this Section, requests submitted by agencies, departments, boards, committees or commissions

ENVIRONMENTAL PROTECTION AGENCY

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of the State of Illinois will be acted upon as claims from a single owner or operator.

Section 876.225 Alternative Technologies

- a) An owner or operator may seek approval from the Agency to perform an alternative technology as corrective action in response to a release of petroleum from an UST. An owner or operator who seeks payment of costs under this Part must obtain written approval of the alternative technology from the Agency prior to commencing any corrective action activities except as provided in Section 876.210 (a)(6) of this Part.
- b) An owner or operator who seeks approval of an alternative technology shall submit to the Agency proof of the following:
 - 1) The proposed alternative technology has a substantial likelihood of successfully achieving compliance with all applicable regulations and all corrective action objectives necessary to protect public health or the environment;
 - 2) The proposed alternative technology will not adversely affect public health or the environment;
 - 3) The owner or operator will obtain all Agency permits necessary to legally authorize use of the alternative technology;
 - 4) The owner or operator will implement a program to monitor whether the requirements of subsection (b)(1) above have been met; and
 - 5) Within one year from the date of Agency approval the owner or operator will have available to the Agency monitoring program results establishing whether the proposed alternative technology will successfully achieve compliance with the requirements of subsection (b)(1) above.
- c) If the owner or operator intends to seek payment for costs under Subpart B of this Part, the owner or operator must demonstrate that the cost for the alternative technology will not exceed the cost of conventional technology by more than 20%.
- d) If an approved alternative technology fails to meet the requirements of subsection (b) of this Section while in use, such failure shall not make the owner or operator ineligible to seek payment for costs of subsequently performing a corrective action using conventional technology.

- 1) Heading of Part: Data Collection
- 2) Code Citation: 77 Ill. Adm. Code 2510
- 3) Section Numbers:
2510.50 Amendment
2510.55 Amendment
2510. Appendix D Repeal
- 4) Statutory Authority: Section 2-3 of Article II and Section 4-2 of Article IV of the Illinois Health Finance Reform Act (Ill. Rev. Stat. 1989, ch. 111 1/2, pars. 6502-3 and 6504-2).
- 5) A Complete Description of the Subjects and Issues Involved: The amendments reduce the time for timely filing of UB-82 data; revocation of transmittal form; and revises an Appendix.
- 6) Will this proposed rule replace an emergency rule currently in effect? No.
- 7) Does this rulemaking contain an automatic repeal date? No.
- 8) Does this amendment contain incorporations by reference? No.
- 9) Are there any other proposed amendments pending on this part? No.
- 10) Statement of Statewide Policy Objectives: The proposed amendments simplify and make more effective reporting requirements for hospital data information.
- 11) Time, Place and Manner in Which Interested Persons May Comment on this Rulemaking: Comments may be submitted in writing to Britt Hagen, Deputy Executive Director, Illinois Health Care Cost Containment Council, 4500 South Sixth Street Road, Suite 215, Springfield, Illinois 62703-5118. Written comments should be submitted no later than January 15, 1993.

- 12) Initial Regulatory Flexibility Analysis:
 - A) Date Rule Submitted to the Business Assistance Office of the Department of Commerce and Community Affairs:
 - B) Type of Small Business affected: Hospitals
 - C) Reporting, Bookkeeping or other procedures required for compliance: No additional required.
 - D) Type of professional skills necessary for compliance: No additional required.

The full text of the Proposed Amendments are identical to the Emergency Amendments: appearing in this Issue of the Illinois Register on page 19211

ILLINOIS HEALTH CARE COST CONTAINMENT COUNCIL

NOTICE OF PROPOSED AMENDMENTS

- 1) Heading of Part: Penalties
- 2) Code Citation: 77 Ill. Adm. Code 2540
- 3) Section Numbers: Proposed Action:
2540.30 Amendment
- 4) Statutory Authority: Implementing Article V and authorized by Section 2-3 of Article II and Section 5-2 of Article V of the Illinois Health Finance Reform Act (Ill. Rev. Stat. 1991, ch. 111 1/2, pars. 6502-3 and 6505-2).
- 5) A Complete Description of the Subjects and Issues Involved: The amendments reduces the time from three to two the number of warning letters sent to hospitals who fail to timely submit data, and provides for certified mail rather than registered mail.
- 6) Will this proposed rule replace an emergency rule currently in effect? No.
- 7) Does this rulemaking contain an automatic repeal date? No.
- 8) Does this amendment contain incorporations by reference? No.
- 9) Are there any other proposed amendments pending on this part? No.
- 10) Statement of Statewide Policy Objectives: The proposed amendment simplifies and makes more effective reporting requirements for hospital data information.
- 11) Time, Place and Manner in Which Interested Persons May Comment on this: Rulemaking: Comments may be submitted in writing to Britt Hagen, Deputy Executive Director, Illinois Health Care Cost Containment Council, 4500 South Sixth Street Road, Suite 215, Springfield, Illinois 62703-5118. Written comments should be submitted no later than January 15, 1993.

ILLINOIS HEALTH CARE COST CONTAINMENT COUNCIL

NOTICE OF PROPOSED AMENDMENTS

- 12) Initial Regulatory Flexibility Analysis:
 - A) Date Rule Submitted to the Business Assistance Office of the Department of Commerce and Community Affairs:
 - B) Type of Small Business affected: Hospitals
 - C) Reporting, Bookkeeping or other procedures required for compliance: No additional required.
 - D) Type of professional skills necessary for compliance: No additional required.

The full text of the Proposed Amendments are identical to the Emergency Amendments appearing in this issue of the Illinois Register on page 19224.

DEPARTMENT OF INSURANCE

NOTICE OF PROPOSED AMENDMENT

- 1) Heading of the Part: Minimum Standards for Individual and Group Medicare Supplement Insurance

2) Code Citation: 50 Ill. Adm. Code 2008

3) Section Numbers: Proposed Action:

2008.73

Amended

- 4) Statutory Authority: Implementing Sections 363 and 363a and authorized by Section 401 of the Illinois Insurance Code (Ill. Rev. Stat. 1991, ch. 73, pars. 975, 975a and 1013).

- 5) A Complete Description of the Subjects and Issues Involved:
A Medicare Select provider will be able to offer the insured coverage which differs from the standard Medicare policy in that restricted network provisions are utilized.

- 6) Will this proposed rule replace emergency rule currently in effect? Yes

- 7) Does this rulemaking contain an automatic repeal date? No

- 8) Does this proposed amendment contain incorporations by reference? No

- 9) Are there any other proposed amendments pending on this Part? No

- 10) Statement of Statewide Policy Objectives: This proposed amendment will not require a local government to establish, expand or modify its activities in such a way as to necessitate additional expenditures from local revenues.

- 11) Time, Place, and Manner in which interested persons may comment on this proposed rulemaking: Persons who wish to comment on this proposed rulemaking may submit written comments no later than 45 days after the publication of this Notice to:

David Van Lieshout, Assistant Chief Counsel
Department of Insurance
320 West Washington
Springfield, Illinois 62767

DEPARTMENT OF INSURANCE

NOTICE OF PROPOSED AMENDMENT

- 12) Initial Regulatory Flexibility Analysis: The Department has determined that this proposed amendment will not affect small businesses.

The full text of the Proposed Amendment is identical to the Emergency Amendment being published in this issue of the Illinois Register on page 19228.

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

- 1) Heading of the Part: Major Stationary Sources Construction and Modification

- 2) Code Citation: 35 Ill. Adm. Code 203

- 3) Section Numbers: Proposed Action:

203.101	Amend
203.107	Amend
203.110	Amend
203.112	Amend
203.121	Renumber, Amend
203.122	Renumber, Amend
203.123	Renumber, New
203.126	Amend
203.128	Amend
203.145	Amend
203.150	Amend
203.201	Amend
203.203	Amend
203.206	Amend
203.207	Amend
203.208	Amend
203.209	Amend
203.301	Amend
203.302	Amend
203.303	Amend
203.306	Amend
203.801	New Section

- 4) Statutory Authority: Ill. Rev. Stat. 1991 (as amended by P.A. 87-1213, effective September 26, 1992), ch. 111 1/2, par. 1010, 1027, 1028, 1028.2 and 1028.5.

- 5) A Complete Description of the Subjects and Issues Involved:

A complete description of the subjects and issues involved is contained in the Board's opinion and order R92-21, which is available from the address below. The proposed amendments are for the purpose of complying with the Section 182(a) of the Clean Air Act as amended in 1990. Specifically, these amendments reflect the portion of the State implementation plan requiring the development and submittal to United States Environmental Protection Agency of a permit program for the construction and modification of major stationary sources in nonattainment areas.

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

- 6) Will this proposed rule replace an emergency rule currently in effect? No

- 7) Does this rulemaking contain an automatic repeal date? No

- 8) Does this proposed rule contain incorporations by reference? Yes

- 9) Are there any other amendments pending on this Part? No

- 10) Statement of Statewide Policy Objectives: These proposed amendments do not create or enlarge a state mandate as defined in Section 3(b) of the State Mandates Act (Ill. Rev. Stat. 1991, ch. 85, par. 2203(b)).

- 11) Time, Place and Manner in which interested persons may comment on this proposed rulemaking: The Board will accept written public comment on this proposal for a period of 45 days after the date of this publication. Comments should reference Docket R92-21 and be addressed to:

Dorothy M. Gunn, Clerk
Illinois Pollution Control Board
State of Illinois Center, Suite 11-500
100 W. Randolph St.
Chicago, IL 60601

Questions may also be directed to:

Sharon Davis
DLC
P.O. Box 19276
Springfield, IL 62794

- 12) Initial Regulatory Flexibility Analysis: These proposed amendments are mandated by the Clean Air Act and, therefore, no small businesses will be affected to a degree greater than allowed by federal law.

- A) Date rule was submitted to the Small Business Office of the Department of Commerce and Community Affairs: November 19, 1992

- B) Types of small businesses affected: Any small business which plans to construct or modify an emission source

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

- C) Reporting, bookkeeping or other procedures required for compliance: No new requirements
- D) Types of professional skills necessary for compliance:

The full text of the Proposed amendments begins on the next page:

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

- TITLE 35: ENVIRONMENTAL PROTECTION
SUBTITLE B: AIR POLLUTION
CHAPTER I: POLLUTION CONTROL BOARD
SUBCHAPTER a: PERMITS AND GENERAL PROVISIONS

PART 203

MAJOR STATIONARY SOURCES CONSTRUCTION AND MODIFICATION

SUBPART A: GENERAL PROVISIONS

Section	
203.101	Definitions
203.103	Actual Construction
203.104	Actual Emissions
203.107	Allowable Emissions
203.110	Allowable Growth Margin
203.112	Building, Structure and Facility
203.113	Commence
203.116	Construction
203.117	Dispersion Enhancement Techniques
203.119	Emission Baseline
203.121	Emission Offset
203.122	Emissions Unit
203.123	Federally Enforceable
203.124	Fugitive Emissions
203.125	Installation
203.126	<u>Lowest Achievable Emission Rate</u>
203.127	Nonattainment Area
203.128	Potential to Emit
203.131	Reasonable Further Progress
203.134	Secondary Emissions
203.136	Stationary Source
203.145	<u>Volatile Organic Compound Material</u>
203.150	Public Participation
203.155	Severability (Repealed)

SUBPART B: MAJOR STATIONARY EMISSIONS SOURCES IN NONATTAINMENT AREAS

Section	
203.201	Prohibition
203.202	Coordination with Permit Requirement and Application Pursuant to 35 Ill. Adm. Code 201
203.203	Construction Permit Requirement and Application
203.204	Duration of Construction Permit (Repealed)
203.205	Effect of Permits
203.206	Major Stationary Source
203.207	Major Modification of a Source

POLLUTION CONTROL BOARD

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203.208 Net Emission Determination
203.209 Significant Emissions Determination
203.210 Relaxation of a Source-Specific Limitation
203.211 Permit Exemption Based on Fugitive Emissions

SUBPART C: REQUIREMENTS FOR MAJOR STATIONARY SOURCES IN
NONATTAINMENT AREAS

Section
203.301 Lowest Achievable Emission Rate
203.302 Maintenance of Reasonable Further Progress and Emission
Offsets
203.303 Baseline and Emission Offsets Determination
203.304 Exemptions from Emissions Offset Requirement (Repealed)
203.305 Compliance by Existing Sources
203.306 Analysis of Alternatives

SUBPART F: OPERATION OF A MAJOR STATIONARY SOURCE OR MAJOR
MODIFICATION

Section
203.601 Lowest Achievable Emission Rate Compliance Requirement
203.602 Emission Offset Maintenance Requirement
203.603 Ambient Monitoring Requirement (Repealed)

SUBPART G: GENERAL MAINTENANCE OF EMISSION OFFSETS

Section
203.701 General Maintenance of Emission Offsets

SUBPART H: OFFSETS FOR EMISSION INCREASES FROM ROCKET
ENGINES AND MOTOR FIRING

Section
203.801 Offsets for Emission Increases from Rocket Engines and
Motor Firing

AUTHORITY: Implementing Section 9.1 and 10 and authorized by
Section 27 of the Environmental Protection Act (Ill. Rev. Stat.
1991, ch. 111 1/2, pars. 1009.1, 1010 and 1027).

SOURCE: Adopted and codified at 7 Ill. Reg. 9344, effective July
22, 1983; codified at 7 Ill. Reg. 13588; amended in R85-20 at 12
Ill. Reg. 6118, effective March 22, 1988; amended in R91-24 at 16
Ill. Reg. 13551, effective August 24, 1992; amended in _____ at
_____ Ill. Reg. _____, effective _____.

POLLUTION CONTROL BOARD

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SUBPART A: GENERAL PROVISIONS

Section 203.101 Definitions

Unless a different meaning of the term is clear from its context
otherwise specified within this Part, the definitions of the
terms used in this Part shall be the same as those used in the
Pollution Control Board (Board) Rules and Regulations 35 Ill.
Adm. Code 201 and 211.

(Source: Amended at 16 Ill. Reg. _____, effective _____)

Section 203.107 Allowable Emissions

a) "Allowable Emissions" means the emission rate of a
stationary source calculated using the maximum rated
capacity of the source (unless the source is subject to
federally enforceable permit conditions or other such
federally enforceable limits which restrict the
operating rate, or hours of operation, or both) and the
most stringent of the following:

- 1) Any applicable standards adopted by the United
States Environmental Protection Agency (USEPA)
pursuant to Sections 111 and 112 of the Clean Air
Act (42 U.S.C. 7401, et seq.) and made applicable
in Illinois pursuant to Section 9.1 of the
Environmental Protection Act (Act) (Ill. Rev.
Stat. 1989 1991, ch. 111 1/2, pars. 1001 et seq.);
 - 2) The applicable emission standards or limitations
contained in this Chapter and approved by the
United States Environmental Protection Agency
USEPA pursuant to Section 110(a)(2) or 110 (a)(3)
of the Clean Air Act, including those standards or
limitations with a future compliance date and any
other emission standard or limitation enforceable
under the Environmental Protection Act or by the
USEPA under Section 113 of the Clean Air Act; or
 - 3) The emissions rate specified as ~~an~~ a federally
enforceable permit condition including those
emissions rates with a future compliance date.
- b) The allowable emissions may be based on ~~an~~ a federally
enforceable permit condition limiting material or fuel
throughput.
- c) If a source is not subject to an emission standard

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

described in subsection (a) above and is not subject to a permit condition described in subsection (b) above, the allowable emissions shall be the source's potential to emit.

(Source: Amended at ___ Ill. Reg. ___, effective ___)

Section 203.110 Available Growth Margin

"Available Growth Margin" means the portion which remains of any emission allowance for new or modified major stationary sources expressly identified in the attainment demonstration approved by the United States E.P.A. Environmental Protection Agency (USEPA) under Section 172(b)(5)(4) of the Clean Air Act (42 U.S.C. 7502(b)(5)(4)) for a particular pollutant and area in a zone (within a nonattainment area) to which economic development should be targeted, in accordance with Section 173(a)(1)(B) of the Clean Air Act (42 U.S.C. 7503(a)(1)(B)).

(Source: Amended at ___ Ill. Reg. ___, effective ___)

Section 203.112 Building, Structure and Facility

- a) The terms "building", "structure", and "facility" include all of the pollutant-emitting activities which belong to the same industrial grouping, are located on one or more contiguous or adjacent properties, and are under the control of the same person (or persons under common control). Pollutant-emitting activities shall be considered as part of the same "Major Group" (i.e., which have the same two-digit code) as described in the Standard Industrial Classification Manual, 1972, as amended by the 1977 Supplement (U.S. Government Printing Office stock numbers 4101-0066 and 003-005-00176-0, respectively) incorporated by reference in 35 Ill. Adm. Code 720.111.

- b) The terms "building", "structure", and "facility" shall also include:

- 1) the transfer of materials, including but not limited to grain, gasoline, petroleum liquids, coal, fertilizer, crushed stone and ore, from vessels, motor vehicles or other conveyances, irrespective of ownership or industrial grouping, to or from a building, structure, or facility as defined in subsection (a) above, and

POLLUTION CONTROL BOARD

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- 2) activities at or adjacent to such building, structure or facility which are associated with such transfer, including but not limited to idling of ~~refrigeration engines~~, the operation of engines to provide heat, refrigeration or lighting, operating of auxiliary engines for pumps or cranes, and transfer of materials from hold to hold or tank to tank during onloading or offloading operations except those activities causing emissions resulting directly from internal combustion engines from transportation purposes or from a non road engine or non road vehicle.

(Source: Amended at ___ Ill. Reg. ___, effective ___)

Section 203.121 Emission Offset

"Emission Offset" means a creditable emission reduction used to compensate for the increase in emissions resulting from a new major source or a major modification in accordance with Sections 203.302 and 203.303 of this Part.

(Source: Section 203.121 renumbered from Section 203.122 and amended at 16 Ill. Reg. ___, effective ___)

Section 203.122 Emissions Unit

"Emissions Unit" means any part of a stationary source which emits or has the potential to emit any air pollutant subject to regulation under the Act or this Chapter or by the United States Environmental Protection Agency ~~USEPA~~ under the Clean Air Act (42 U.S.C. 7401, the Act or et seq.).

(Source: Section 203.122 renumbered from Section 203.123 and amended at 16 Ill. Reg. ___, effective ___)

Section 203.123 Federally Enforceable

"Federally enforceable" means enforceable by the United States Environmental Protection Agency.

(Source: Former Section 203.123 renumbered to Section 203.122, new Section added at 16 Ill. Reg. ___, effective ___)

Section 203.126 ~~LAER~~Lowest Achievable Emission Rate

"LAER" is an abbreviation acronym for lowest achievable emission rate.

(Source: Amended at ___ Ill. Reg. ___, effective ___)

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Section 203.128 Potential to Emit

"Potential to Emit" means the maximum capacity of a stationary source to emit a pollutant under its physical and operational design. Any physical or operational limitation on the capacity of the source to emit a pollutant, including air pollution control equipment and restrictions on hours of operation or on the type or amount of material combusted, stored, or processed, shall be treated as part of its design only if the limitation or the effect it would have on emissions is federally enforceable. Secondary emissions do not count in determining the potential to emit of a stationary source.

(Source: Amended at ___ Ill. Reg. ___, effective ___)

Section 203.145 Volatile Organic Compound Material

"Volatile Organic Compound" means "volatile organic material", as that term is defined at 35 Ill. Adm. Code 211.122.

"Volatile organic material" (VOM) means any compound of carbon, excluding carbon monoxide, carbon dioxide, carbonic acid, metallic carbides or carbonates, and ammonium carbonate, which participates in atmospheric photochemical reactions.

- a) This includes any such organic compound other than the following, which have been determined to have negligible photochemical reactivity: Methane; ethane; methylene chloride (dichloromethane); 1,1,1-trichloroethane (methyl chloroform); 1,1,1-trichloro-2,2,2-trifluoroethane (CFC-113); trichlorofluoromethane (CFC-11); dichlorodifluoromethane (CFC-12); chlorodifluoromethane (CFC-22); trifluoromethane (FC-23); 1,2-dichloro 1,1,2,2-tetrafluoroethane (CFC-114); chloropentafluoroethane (CFC-115); 1,1,1-trifluoro 2,2-dichloroethane (HCFC-123); 1,1,12-tetrafluoroethane (HFC-134a); 1,1-dichloro 1-fluoroethane (HCFC-141b); 1-chloro 1,1-difluoroethane (HCFC-142b); 2-chloro-1,1,2-tetrafluoroethane (HCFC-124); pentafluoroethane (HFC-125); 1,1,2,2-tetrafluoroethane (HFC-134); 1,1,1-trifluoroethane (HFC-143a); 1,1-difluoroethane (HFC-152a); and perfluorocarbon compounds which fall into these classes:

- 1) Cyclic, branched, or linear, completely fluorinated alkanes;

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- 2) Cyclic, branched, or linear, completely fluorinated ethers with no unsaturations;
- 3) Cyclic, branched, or linear, completely fluorinated tertiary amines with no unsaturations; and
- 4) Sulfur containing perfluorocarbons with no unsaturations and with sulfur bonds only to carbon and fluoroine.

b) For purposes of determining VOM emissions and compliance with emissions limits, VOM will be measured by the test methods in the approved implementation plan or 40 CFR Part 60, Appendix A, incorporated by reference at Sections 215.105, 218.112, and 219.112, as applicable or by source-specific test methods which have been established pursuant to a permit issued pursuant to a program approved or promulgated under Title V of the Clean Air Act or under 40 CFR Part 51, Subpart I or Appendix S, incorporated by reference at Sections 218.112 and 219.112 or under 40 CFR Part 52.21, incorporated by reference at Sections 218.112 and 219.112, as applicable. Where such a method also measures compounds with negligible photochemical reactivity, these negligibly-reactive compounds may be excluded as VOM if the amount of such compounds is accurately quantified, and such exclusions is approved by the Agency.

c) As a precondition to excluding these negligibly-reactive compounds as VOM or at any time thereafter, the Agency may require an owner or operator to provide monitoring or testing methods and results demonstrating, to the satisfaction of the Agency, the amount of negligibly-reactive compounds in the source's emissions.

d) The USEPA shall not be bound by any State determination as to appropriate methods for testing or monitoring negligibly-reactive compounds if such determination is not reflected in any of the provisions of paragraph (2).

(Source: Amended at ___ Ill. Reg. ___, effective ___)

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Section 203.150 Public Participation

Prior to the initial issuance or revision of a permit pursuant to Subpart B, the Agency shall provide at a minimum, notice of the proposed issuance of a permit, and a comment period, and opportunity for public hearing pursuant to the Agency public participation procedures found at set forth at 35 Ill. Adm. Code 166 252.

(Source: Amended at ___ Ill. Reg. ___, effective ___)

SUBPART B: MAJOR STATIONARY EMISSIONS SOURCES IN NONATTAINMENT AREAS

Section 203.201 Prohibition

In any nonattainment area, no person shall cause or allow the construction of a new major stationary source or major modification that is major for the pollutant for which the area is designated a nonattainment area, except as in compliance with this Part for that pollutant. In areas designated nonattainment for ozone, this prohibition shall apply to new major stationary sources or major modifications of sources that emit volatile organic materials or nitrogen oxides.

(Source: Amended at ___ Ill. Reg. ___, effective ___)

Section 203.203 Construction Permit Requirement and Application

- a) A construction permit is required prior to actual construction of a major new source or major modification.
- b) Applications for construction permits required under this Section shall contain sufficient information to demonstrate compliance with 35 Ill. Adm. Code 201 and the requirements of this Subchapter Part including, but not limited to, Subpart C.
- c) The permit shall include conditions specifying the manner in which the requirements of Subparts B and C of this Part are satisfied.
- d) No permittee shall violate any condition contained in a construction permit issued for a new major stationary source or major modification which is subject to this Part.

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(Source: Amended at ___ Ill. Reg. ___, effective ___)

Section 203.206 Major Stationary Source

- a) The following constitute a major stationary source:

- 1) Any stationary source of air pollutants which emits, or has the potential to emit, 100 tons per year or more of any pollutant for which pollutant the area is a nonattainment area. For an area designated as nonattainment for ozone, a major stationary source is a stationary source which emits or has the potential to emit volatile organic material in an amount equal to or greater than the following:

- A) 100 tons per year in an area classified as marginal or moderate nonattainment for ozone;
- B) 50 tons per year in an area classified as serious nonattainment for ozone;
- C) 25 tons per year in an area classified as severe nonattainment for ozone; and
- D) 10 tons per year in an area classified as extreme nonattainment for ozone;

- 2) Any physical change that would occur at a stationary source not qualifying under paragraph 1 as a major stationary source, if the change would constitute a major stationary source by itself. For an area designated as nonattainment for nitrogen dioxide, a major stationary source is a stationary source which emits or has the potential to emit 100 tons per year or more of nitrogen dioxide.

- 3) For an area designated as nonattainment for ozone, a major stationary source is a stationary source which emits or has the potential to emit nitrogen oxides in an amount equal to or greater than the following, unless USEPA has made a finding under Sections 110 and 182(f) of the Clean Air Act that controlling of emissions of nitrogen oxides from such sources shall not be required:

- A) 100 tons per year in an area classified as

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marginal or moderate nonattainment for ozone

B) 50 tons per year in an area classified as serious nonattainment for ozone.

C) 25 tons per year in an area classified as severe nonattainment for ozone, and

D) 10 tons per year in an area classified as extreme nonattainment for ozone.

4) For an area designated nonattainment for PM-10 a major stationary source is a stationary source which emits or has the potential to emit:

A) 100 tons per year or more of PM-10 in an area classified as moderate nonattainment area, or

B) 70 tons per year or more of PM-10 in an area classified as serious nonattainment.

5) For an area designated nonattainment for carbon monoxide, carbon monoxide, a major stationary source is a stationary source which emits or has the potential to emit:

A) 100 tons per year or more of carbon monoxide in a nonattainment area, except as provided in (B) below.

B) 50 tons per year or more in an area classified as "serious" nonattainment for carbon monoxide where stationary sources significantly contribute to ambient carbon monoxide levels, as determined under rules issued by USEPA.

5) For an area designated nonattainment for a pollutant other than ozone, nitrogen dioxide, PM-10 or carbon monoxide, a major stationary source is a stationary source which emits or has the potential to emit 100 tons per year or more of the pollutant.

b) A major stationary source that is a major for volatile organic compounds shall be considered major for ozone. Any physical change that occurs at a stationary source

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which does not qualify under paragraph (a) of this Section as a major stationary source will be considered a major stationary source, if the change would constitute a major stationary source by itself.

c) The reconstruction of a major stationary source will be treated as the construction of a new major stationary source if the fixed capital cost of new components exceeds approximately half of the fixed capital cost of an entirely new stationary source. Determining whether reconstruction will occur is based on the following:

1) Fixed capital cost shall mean the capital needed to provide all the depreciable components;

2) The fixed capital cost for the replacements in comparison to the fixed capital cost that would be required to construct a comparable entirely new source;

3) The estimated life of the source after the replacements compared to the life of a comparable entirely new source; and

4) The extent to which the components being replaced cause or contribute to the emissions from the source.

d) For purposes of this Part, the fugitive emissions of a stationary source shall not be included in determining whether it is a major stationary source, unless the source belongs to one of the following categories of stationary sources:

1) Coal cleaning plants (with thermal dryers);

2) Kraft pulp mills;

3) Portland cement plants;

4) Primary zinc smelters;

5) Iron and steel mills;

6) Primary aluminum ore reduction plants;

7) Primary copper smelters;

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- 8) Municipal incinerators capable of charging more than 250 tons of refuse per day;
- 9) Hydrofluoric, sulfuric, or nitric acid plants;
- 10) Petroleum refineries;
- 11) Lime plants;
- 12) Phosphate rock processing plants;
- 13) Coke oven batteries;
- 14) Sulfur recovery plants;
- 15) Carbon black plants (furnace process);
- 16) Primary lead smelters;
- 17) Fuel conversion plants;
- 18) Sintering plants;
- 19) Secondary metal production plants;
- 20) Chemical process plants;
- 21) Fossil-fuel boilers (or combination thereof) totaling more than 250 million Btu per hour heat input;
- 22) Petroleum storage and transfer units with a total storage capacity exceeding 300,000 barrels;
- 23) Taconite ore processing plants;
- 24) Glass fiber processing plants;
- 25) Charcoal production plants;
- 26) Fossil fuel-fired steam electric plants of more than 250 million Btu per hour heat input;
- 27) Any other stationary source categories which was regulated as of ~~August 7, 1980 by USFPA~~ by a standard promulgated under Section 111 or 112 of the Clean Air Act (42 U.S.C. 7411, 7412); but only with respect to those air pollutants that have

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been regulated for that category;

- 28) Any other stationary source category designated by the United States Environmental Protection Agency by rule.

(Source: Amended at ___ Ill. Reg. ___, effective _____)

Section 203.207 Major Modification of a Source

- a) Except as provided in subsection (c) below, a physical change, or change in the method of operation of a major stationary source that would result in a significant net emissions increase of any pollutant for which the area is designated a nonattainment area, shall constitute a major modification of a source.
- b) Any net emissions increase that is significant for volatile organic ~~compounds~~ material or nitrogen oxides shall be considered significant for ozone.
- c) A physical change or change in the method of operation shall not include:
 - 1) Routine maintenance, repair, and replacement which does not constitute reconstruction pursuant to Section 203.206(c).
 - 2) Use of an alternative fuel or raw material by reason of any order under Sections 2(a) and (b) of the Energy Supply and Environmental Coordination Act of 1974 (15 U.S.C. 791), the Power Plant and Industrial Fuel Use Act of 1978 (42 U.S.C. 8301) (or any superseding legislation) or by reason of a natural gas curtailment plan pursuant to the Federal Power Act (16 U.S.C. 791, et seq.).
 - 3) Use of an alternative fuel by reason of an order or rule under Section 125 of the Clean Air Act (42 U.S.C. 7425).
 - 4) Use of an alternative fuel at a steam generating unit to the extent that the fuel is generated from municipal solid waste.
 - 5) Use of an alternative fuel or raw material by a stationary source which:

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A) Was capable of accommodating such alternative fuel or raw material before December 21, 1976, and which has continuously remained capable of accommodating such fuels or materials unless such change would be prohibited under any enforceable permit condition established after December 21, 1976, pursuant to 40 CFR 52.21, this Part, or 35 Ill. Adm. Code 201.142 or 201.143, or

B) Is approved for use under any permit issued pursuant to this Part or 35 Ill. Adm. Code 201.142 or 201.143.

6) An increase in the hours of operation or in the production rate, unless such change is prohibited under any enforceable permit condition which was established after December 21, 1976 pursuant to 40 CFR 52.21, this Part, or 35 Ill. Adm. Code 201.142 or 201.143.

7) Any change in ownership at a stationary source.

d) In areas classified as serious or severe nonattainment for ozone, beginning November 15, 1992 or such later date that an area is classified by the United States Environmental Protection Agency (USEPA) as a serious or severe nonattainment area for ozone, any physical change or change in the method of operation of a major stationary source which results in an increase in emissions of 25 tons per year or more of volatile organic material or nitrogen oxides from any discrete operation, unit, or other pollutant emitting activity at the source shall be considered a major modification unless:

1) The emissions and potential to emit emissions of such pollutant, i.e., volatile organic material or nitrogen oxides, are less than 100 tons per year, and

2) The owner or operator of the source elects to offset the increase by a greater reduction in emissions of such pollutant i.e. volatile organic material or nitrogen oxides, from other operations, units, or activities within the source at an internal offset ratio of at least 1.3. to 1.

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e) In areas classified as extreme nonattainment for ozone, beginning on the date that an area is classified by USEPA as an extreme nonattainment area for ozone, any physical change in or change in the method of operation of a major stationary source which results in any increase in emissions of volatile organic material or nitrogen oxides from a discrete operation, unit, or other pollutant emitting activity shall be considered a major modification.

(Source: Amended at ___ Ill. Reg. ___, effective ___)
Section 203.208 Net Emission Determination

A net emissions increase is the amount by which the sum of any increase in actual emissions from a particular physical change or change in method of operation at a source, and any other increases and decreases in actual emissions at the source that are contemporaneous with the particular change and are otherwise creditable, exceeds zero. The following steps determine whether the increase or decrease in emissions is available.

a) Except for increases or decreases in VOC and NOx emissions in serious and severe ozone nonattainment areas which are addressed in Section 203.209(b), an increase or decrease in actual emissions is contemporaneous only if it occurs between the date that an increase from a particular change occurs and the date five years before a timely and complete application is submitted for the particular change. It must also occur after either April 24, 1979, or the date the area is designated by the U.S.-United States Environmental Protection Agency (USEPA) as a nonattainment area for the pollutant, whichever is more recent;

b) An increase or decrease in actual emissions is creditable:

- 1) Only if there is not in effect for the source at the time the particular change occurs, a permit which relied on the same increase or decrease in actual emissions; and
- 2) Only to the extent the new and old levels differ.
- c) A decrease in actual emissions is creditable to the extent that:

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- 1) It is federally enforceable at and after the time that actual construction on the particular change begins;
- 2) It has approximately the same qualitative significance for public health and welfare as that attributed to the increase from the particular change;
- 3) The old level of actual emissions or the old level of allowable emissions, whichever is lower, exceeds the new level of actual emissions; and
- 4) It is demonstrated by the Agency not to have been previously relied on in issuing any permit pursuant to this part or 35 Ill. Adm. Code 201.142 or 201.143 or for demonstrating attainment or reasonable further progress in the nonattainment area which the particular change will impact.

- d) An increase that results from a physical change at a source occurs when the emissions unit on which construction occurred becomes operational and begins to emit a particular pollutant. Any replacement unit that requires shutdown becomes operational only after a shutdown period not to exceed 180 days.

(Source: Amended at ___ Ill. Reg. ___, effective _____)

Section 203.209 Significant Emissions Determination

- a) A net emission increase in the pollutant emitted is significant if the rate of emission is equal to or in excess of the following:

- 1a) Carbon monoxide: 100 tons per year (tpy)
- 2a) Nitrogen oxides: 40 tpy for a nonattainment area for nitrogen dioxide and 40 tpy for an ozone nonattainment area, except as provided in subsection (b) of this Section
- 3a) Sulfur dioxide: 40 tpy
- 4a) Particulate matter measured as PM-10: 15 tpy
- 5a) Ozone: 40 tpy of volatile organic compounds material, except as provided in subsection (b) of

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this Section

- 6f) Lead: 0.6 tpy

- b) For areas classified as serious or severe nonattainment for ozone, an increase in emissions of volatile organic material or nitrogen oxides shall be considered significant if the net emissions increase of such air pollutant from a stationary source located within such area exceeds 25 tons when aggregated with all other net increases in emissions from the source over any period of 5 consecutive calendar years which includes the calendar year in which such increase occurred. This provision shall become effective beginning November 15, 1992 or such later date that an area is classified as a serious or severe nonattainment area for ozone.

(Source: Amended at ___ Ill. Reg. ___, effective _____)

SUBPART C: REQUIREMENTS FOR MAJOR STATIONARY SOURCES IN NONATTAINMENT AREAS

Section 203.301 Lowest Achievable Emission Rate

- a) For any source, lowest achievable emission rate (LAER) will be the more stringent rate of emissions based on the following:

- 1) The most stringent emission limitation which is contained in the implementation plan of any state for such class or category of stationary source, unless it is demonstrated that such limitation is not achievable; or
- 2) The most stringent emission limitation which is achieved in practice by such a class or category of stationary source. This limitation, when applied to a modification, means the lowest achievable emissions rate for the new or modified emissions units within the stationary source. In no event shall the application of this term permit a proposed new or modified stationary source to emit any pollutant in excess of the amount allowable under an applicable new source performance standard adopted by USEPA pursuant to Section 111 of the Clean Air Act and made applicable in Illinois pursuant to Section 9.1 of the Act.

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- b) The owner or operator of a new major stationary source shall demonstrate that the control equipment and process measures applied to the source will produce LAER.
- c) The owner or operator of a major modification shall demonstrate that the control equipment and process measures applied to the major modification will produce LAER. This requirement applies to each emissions unit at which a net increase in emissions of the pollutant has occurred or would occur as a result of a physical change or change in the method of operation.
- d) The owner or operator shall provide a detailed showing that the proposed emission limitations constitute LAER. Such demonstration shall include:

- 1) A description of the manner in which the proposed emission limitation was selected, including a detailed listing of information resources,
- 2) Alternative emission limitations, and
- 3) Such other reasonable information as the Agency may request as necessary to determine whether the proposed emission limitation is LAER.

e) In areas classified as serious or severe nonattainment for ozone, for modifications which are major pursuant to the applicability provisions of Section 203.207(d) for volatile organic material and nitrogen oxide emissions, LAER shall apply except as provided as follows:

- 1) In the case of a stationary source which does not emit or have the potential to emit 100 tons per year or more of volatile organic material or nitrogen oxides, a requirement for Best Available Control Technology (BACT) as defined in Section 169 of the Clean Air Act (42 U.S.C. 7401 et seq.) substitutes for LAER. BACT shall be determined in accordance with policies and procedures published by the USEPA.
- 2) In the case of a stationary source which emits or has the potential to emit 100 tons per year or more of volatile organic material or nitrogen oxides, the requirements for LAER shall not apply

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if the owner or operator of the source elects to offset the increase by a greater reduction in emissions of such pollutant from other operations, units or activities within the source at an internal offset ratio of at least 1.3. to 1.

(Source: Amended at Ill. Reg. _____, effective _____)

Section 203.302 Maintenance of Reasonable Further Progress and Emission Offsets

- a) 1) The owner or operator of a new major source or major modification shall provide emission offsets equal to or greater than the allowable emissions from the source or the net increase in emissions from the modification sufficient to allow the Agency to determine that the source or modification will not interfere with reasonable further progress as set forth in Section 173 of the Clean Air Act (42 U.S.C. 7401 et seq.).

- 2) For new major sources or major modifications in ozone nonattainment areas the ratio of total emission reductions provided by emission offsets for volatile organic material or nitrogen oxides to total increased emissions of such contaminants shall be at least as follows:

- A) 1.1 to 1 in areas classified as marginal;
 - B) 1.15 to 1 in areas classified as moderate;
 - C) 1.2 to 1 in areas classified as serious;
 - D) 1.3 to 1 in areas classified as severe; and
 - E) 1.5 to 1 in areas classified as extreme.
- 3) The offset requirement provided in subsection (2) above shall not be applicable in extreme areas to a modification of an existing source:
- A) if such modification consists of installation of equipment required to comply with the implementation plan or the Clean Air Act; or
 - B) if the owner or operator of the source elects

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to offset the increase by a greater reduction in emissions of such pollutant from other discrete operations, units, or activities within the source at an internal offset ratio of at least 1.3 to 1.

- b) The Agency shall allow the use of all or some portion of the available growth margin to satisfy subsection (a) above if the owner or operator can present evidence that the possible sources of emission offsets were investigated, and none were available at that time and the new or modified major stationary source is located in a zone (within the nonattainment area) identified by USEPA in consultation with the Secretary of Housing and Urban Development, as a zone to which economic development should be targeted.

(Source: Amended at ___ Ill. Reg. ___, effective ___)

Section 203.303

Baseline and Emission Offsets Determination

- a) An emission offset must be obtained from a source in operation prior to the permit application for the new or modified source. Emission offsets must be effective prior to start-up of the new or modified source.

- b) The emission offsets provided:

- 1) Must be of the same pollutant and further be of a type with approximately the same qualitative significance for public health and welfare as that attributed to the increase from a particular change;
- 2) Must, in the case of a shutdown, have occurred since April 24, 1979 or the date the area is designated by the ~~USEPA~~ United States Environmental Protection Agency (USEPA) as a nonattainment area for the pollutant, whichever is more recent, and the shutdown source is being replaced by a similar new source; and must, in the case of a fuel combustion source, be based on the type of fuel being burned at the time the permit application is filed, and, if offset is to be produced by a future switch to a cleaner fuel, be accompanied by evidence that long-term supplies of the clean fuel are available and a commitment to a specified alternative control measure which would achieve

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the same degree of emission reduction if return of the dirtier fuel is proposed;

- 3) Must, in the case of a shutdown of a source or permanent curtailment of production or operating hours occurring on or after the date a permit application is filed for a new or modified source, have been made known to the affected work force;
- 4) Must, in the case of a past shutdown of a source or permanent curtailment of production or operating hours, have occurred since April 24, 1979, or the date the area is designated a nonattainment area for the pollutant, whichever is more recent, and the proposed new or modified source must be a replacement for the shutdown or curtailment;
- 5) Must be federally enforceable by permit;
- 6) Must not have been previously relied on, as demonstrated by the Agency, in issuing any permit pursuant to 35 Ill. Adm. Code 201.142 or 201.143 or this Part, or for demonstrating attainment or reasonable further progress.

- c) ~~The baselines for determining emission offsets are as follows:~~

~~Except as provided in subsection (2), the baseline for determining the extent to which emission reductions are creditable as offsets shall be the actual emissions of the source from which the offset is to be obtained, to the extent they are within any applicable emissions limitations of this Chapter or the Act or any applicable standards adopted by USEPA pursuant to Section 111 and 112 of the Clean Air Act, and made applicable in Illinois pursuant to Section 9.1 of the Environmental Protection Act (Ill. Rev. Stat. 1991 ch. 111 1/2, par. 1009.1).~~

- 2) ~~If the demonstration of reasonable further progress and attainment of ambient air quality standards approved by USEPA pursuant to Section 110(a)(2) or 110(a)(3) of the Clean Air Act is based on the applicable emission limitations of this Chapter or the Act or any applicable standards adopted by USEPA pursuant to Section 111~~

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and 112 of the Clean Air Act and made applicable in Illinois pursuant to Section 9.1 of the Environmental Protection Act for sources within an area, and the source from which the offset is to be obtained is subject to such limitations, the baseline for offsets shall be the lesser of such limitation or the potential to emit of the source.

- d) The location of sources providing the emission offsets, reductions to fulfill the offset requirements of this Section:

1) Must, for particulate matter, sulfur dioxide and carbon monoxide, be such that, relative to the site of the proposed new or modified source, the location of the offset, together with its effective stack height, ensures a positive net air quality benefit. This shall be demonstrated by atmospheric simulation modeling, unless the sources providing the offset are on the same premises or in the immediate vicinity of the new or modified source and the pollutants disperse from substantially the same effective stack height. In determining effective stack height, credit shall not be given for dispersion enhancement techniques. The owner or operator of a proposed new or modified source shall perform the analysis to demonstrate the acceptability of the location of an offset, if the Agency declines to make such analysis. Effective stack height means actual stack height plus plume rise. Where actual stack height exceeds good engineering practices, as determined pursuant to 40 CFR 51.100 (1987) (no future amendments or editions are included), the creditable stack height shall be used. Must be achieved in the same nonattainment area as the increase being offset, except as provided as follows:

- A) An owner or operator may obtain the necessary emission reductions from another nonattainment area where such other area has an equal or higher nonattainment classification than the area in which the source is located, and
- B) The emission reductions from such other area contribute to a violation of the national

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ambient air quality standard in the nonattainment area in which the new or modified source is located.

- 2) Must, for nitrogen oxides, be in the general vicinity of the proposed new or modified source. Must, for particulate matter, sulfur dioxide and carbon monoxide, be such that, relative to the site of the proposed new or modified source, the location of the offset, together with its effective stack height, ensures a positive net air quality benefit. This shall be demonstrated by atmospheric simulation modeling, unless the sources providing the offset are on the same premises or in the immediate vicinity of the new or modified source and the pollutants disperse from substantially the same effective stack height. In determining effective stack height, credit shall not be given for dispersion enhancement techniques. The owner or operator of a proposed new or modified source shall perform the analysis to demonstrate the acceptability of the location of an offset, if the Agency declines to make such analysis. Effective stack height means actual stack height plus plume rise. Where actual stack height exceeds good engineering practices, as determined pursuant to 40 CFR 51.100 (1987) (no future amendments or editions are included), the creditable stack height shall be used.
- 3) Must, for volatile organic compounds, be in the broad vicinity of the proposed new or modified source; that is, offsets must be obtained from within the Air Quality Control Region of the new or modified source, or from other areas which may be contributing to the ozone problem at the site of the new or modified source.
- e) Replacement of one volatile organic compound material with another of lesser reactivity does not constitute an emission reduction.
- f) Emission reductions otherwise required by the Clean Air Act (42 U.S.C. 7401 et seq.) shall not be creditable for purposes of any such offset requirement.

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Incidental emission reductions which are not otherwise required by the Clean Air Act shall be creditable as emission reductions for such purposes if such emissions reductions meet the requirements of this subpart.

(Source: Amended at ___ Ill. Reg. ____, effective ____)

Section 203.306 Analysis of Alternatives

~~For emission of volatile organic compounds or carbon monoxide,~~
The owner or operator shall demonstrate that benefits of the new major source or major modification significantly outweigh the environmental and social costs imposed as a result of its location, construction, or modification, based upon an analysis of alternative sites, sizes, production processes and environmental control techniques for such proposed source.

(Source: Amended at ___ Ill. Reg. ____, effective ____)

SUBPART H: OFFSETS FOR EMISSION INCREASES FROM ROCKET ENGINES AND MOTOR FIRING

Section 203.801 Offsets for Emission Increases from Rocket Engines and Motor Firing

A source may offset, by alternative or innovative means emission increases from rocket engine and motor firing, and cleaning related to such firing, at an existing or modified major source that tests rocket engines or motors under the following conditions:

- a) Any modification proposed is solely for the purpose of expanding the testing of rocket engines or motors at an existing source that is permitted to test such engines on November 15, 1990;
- b) The source demonstrates to the satisfaction of the Agency that it has used all reasonable means to obtain and utilize offsets, as determined on an annual basis, for the emissions increases beyond allowable levels, that all available offsets are being used, and that sufficient offsets are not available to the source;
- c) The source has obtained a written finding from the Department of Defense, Department of Transportation, National Aeronautics and Space Administration or other appropriate Federal agency, that the testing of rocket

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motors or engines at the facility is required for a program essential to the national security; and

- d) The source will comply with an alternative measure imposed by the Agency or Board, designed to offset any emission increases beyond permitted levels not directly offset by the source.

(Source: Added at ___ Ill. Reg. ____, effective ____)

DEPARTMENT OF REHABILITATION SERVICES

NOTICE OF PROPOSED AMENDMENT

- 1) Heading of the Part: Non-Financial Eligibility Criteria
- 2) Code Citation: 89 Ill. Adm. Code 685
- 3) Section Numbers: 685.150
Proposed Action: Amendment
- 4) Statutory Authority: Implementing and authorized by Section 3(g) of The Disabled Persons Rehabilitation Act (Ill. Rev. Stat. 1991, ch. 23, par 3434 (g)).
- 5) A Complete Description of the Subjects and Issues involved: Clarifies that HSP applicants must apply for Medicaid benefits in order to be eligible to receive planned services and that verification of the Medicaid application is not required to receive services during interim eligibility. States that either the Notice of Decision (DPA: 458) or the signed Application (DPA: 2378B) constitutes evidence of application for Medicaid benefits.
- 6) Will this proposed rule replace an emergency rule currently in effect? No
- 7) Does this rulemaking contain an automatic repeal date? Yes ☒ No
- 8) Does this proposed rule (amendment, repealer) contain incorporations by reference? No
- 9) Are there any other amendments pending on this Part? No
- Section Numbers Proposed Action Illinois Register Citation
- 10) Statement of Statewide Policy Objectives (if applicable): This is not applicable to this Rulemaking.
- 11) Time, Place, and Manner in which interested persons may comment on this proposed rulemaking: Interested persons may present their comments concerning these rules within 45 days after this issue of the Illinois Register. All requests and comments should be submitted in writing to:

DEPARTMENT OF REHABILITATION SERVICES

NOTICE OF PROPOSED AMENDMENT

Ms. Susan Warrner, Manager
Regulations and Procedures Division
Department of Rehabilitation Services
P.O. Box 19429
Springfield, Illinois 62794-9429

Telephone number: (217) 785-3896
T.D.D./T.T.: (217) 785-9301

If because of physical disability you are unable to put comments into writing, you may make them orally to the person listed above.

- 12) Initial Regulatory Flexibility Analysis: The Department has determined that this rulemaking will not affect small businesses.

The full text of the Proposed Rule(s) begins on the next page:

DEPARTMENT OF REHABILITATION SERVICES

NOTICE OF PROPOSED AMENDMENT

TITLE 89: SOCIAL SERVICES
CHAPTER IV: DEPARTMENT OF REHABILITATION SERVICES
SUBCHAPTER d: HOME SERVICES PROGRAMPART 685
NON-FINANCIAL ELIGIBILITY CRITERIA

Section	
685.10	Application of Non-Financial Requirements
685.100	Citizenship
685.150	Application for Medicaid
685.200	Residence
685.300	Age
685.400	Disability
685.500	Need for Long-Term Care
685.550	Effect on HSP Services of Services Provided by Other Agencies
685.600	Service Cost Maximum
APPENDIX A	Institutional Cost Tables

AUTHORITY: Implementing and authorized by Section 3(g) of The Disabled Persons Rehabilitation Act (Ill. Rev. Stat. 1991, ch. 23, par. 3434(g)).

SOURCE: Adopted and codified at 7 Ill. Reg. 8898, effective July 18, 1983; amended at 8 Ill. Reg. 15967, effective August 31, 1984; amended at 9 Ill. Reg. 9167, effective June 4, 1985; amended at 13 Ill. Reg. 5158, effective March 31, 1989; amended at 13 Ill. Reg. 18929, effective November 16, 1989; amended at 15 Ill. Reg. 6602, effective April 15, 1991; amended at 15 Ill. Reg. 15753, effective October 21, 1991; amended at 16 Ill. Reg. _____, effective _____.

Section 685.150 Application for Medicaid

- a) All applicants for HSP must apply for Medicaid benefits in order to be eligible to receive planned services, but are not required to meet Medicaid spenddown, if one is established, in order to be eligible to receive services. Verification of Medicaid application is not required to receive services during the period of Interim Eligibility (89 Ill. Adm. Code 695.200). However, the person is not required to meet Medicaid spend-down requirements to be eligible to receive HSP services.

DEPARTMENT OF REHABILITATION SERVICES

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- b) Within 60 calendar days after date of HSP application, the applicant must provide verification of application for Medicaid in one of the following ways:
- 1) if an applicant has already been found to be Medicaid eligible, by providing the counselor with the Medicaid case number; or
 - 2) by providing the counselor with a copy of the "Instructions-to-Clients"-form-from-the-Illinois Department-of-Public-Aid-(DPA-267): Notice of Decision (DPA: 458); or
 - 3) by providing the counselor with a copy of his/her signed Application (DPA: 2378B).
- c) Planned services shall only begin after all criteria for eligibility are met, including verification of application for Medicaid, pursuant to subsection (b) above.

(Source: Amended at 16 Ill. Reg. _____, effective _____.)

ILLINOIS REGISTER

DEPARTMENT OF CONSERVATION

NOTICE OF ADOPTED AMENDMENTS

- 1) HEADING OF THE PART: Cock Pheasant, Hungarian Partridge, Bobwhite Quail, Rabbit and Crow Hunting

- 2) CODE CITATION: 17 Ill. Adm. Code 530

- 3) SECTION NUMBERS:

530.70 Amendments
530.80 Amendments
530.90 Amendments
530.100 Amendments
530.105 Amendments
530.110 Amendments

- 4) STATUTORY AUTHORITY: Implementing and authorized by Sections 1.3, 1.4, 1.13, 2.1, 2.2, 2.33, 2.6, 2.7, 2.27, 2.30, 3.5, 3.27, 3.28 and 3.29 of the Wildlife Code (Ill. Rev. Stat. 1991, ch. 61, pars. 1.3, 1.4, 1.13, 2.1, 2.2, 2.33, 2.6, 2.7, 2.27, 2.30, 3.5, 3.27, 3.28 and 3.29).

- 5) EFFECTIVE DATE OF AMENDMENTS: December 1, 1992

- 6) DOES THIS RULEMAKING CONTAIN AN AUTOMATIC REPEAL DATE? No

- 7) DO THESE AMENDMENTS CONTAIN INCORPORATIONS BY REFERENCE? No

- 8) DATE FILED IN AGENCY'S PRINCIPAL OFFICE: December 1, 1992

- 9) NOTICE OF PROPOSAL PUBLISHED IN ILLINOIS REGISTER: August 7, 1992, 16 Ill. Reg. 12280

- 10) HAS JCAR ISSUED A STATEMENT OF OBJECTIONS TO THESE RULES: No

- 11) DIFFERENCES BETWEEN PROPOSAL AND FINAL VERSION:

The Main Source Note was updated to read: . . . amended at 16 Ill. Reg. 12470, effective July 28, 1992; amended at 16 Ill. Reg. _____, effective _____.

In Section 530.70(a), the following was added at the end of the first sentence "(except for Wayne Fitzgerald where applicants must contact the concessionaire)".

In Section 530.70(d), language pertaining to Wayne Fitzgerald State Recreation Area, which was being deleted, was put back in.

A new Section 530.80(a)(5) was added:

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- "5) The controlled hunting season on the Wayne Fitzgerald State Recreation Area (Rend Lake) will be publicly announced."

New language was added in Section 530.80(d) at the end of the sentence: "(except at Wayne Fitzgerald (Rend Lake) a Daily Usage Stamp is not required. Fees and method(s) of payment at Wayne Fitzgerald will be publicly announced)."

In Section 530.80(g), the language pertaining to Wayne Fitzgerald State Recreation Area, which was being deleted, was put back in.

In Section 530.110(e), the paragraph on "Wayne Fitzgerald State Park" was removed.

- 12) HAVE ALL THE CHANGES AGREED UPON BY THE AGENCY AND JCAR BEEN MADE AS INDICATED IN THE AGREEMENT LETTER ISSUED BY JCAR? Yes

- 13) WILL THESE AMENDMENTS REPLACE AN EMERGENCY RULE (AMENDMENT, REPEALER) CURRENTLY IN EFFECT? No

- 14) ARE THERE ANY AMENDMENTS PENDING ON THIS PART? No

- 15) SUMMARY AND PURPOSE OF AMENDMENTS: Changes to this Part include restoring sites and deleting one site and adding hunting dates and regulations for sites open for non-fee hunting.

- 16) INFORMATION AND QUESTIONS REGARDING THESE ADOPTED AMENDMENTS SHALL BE DIRECTED TO:

Jack Price
Department of Conservation
524 S. Second Street, Room 485
Springfield, IL 62701-1787

THE FULL TEXT OF THE ADOPTED AMENDMENTS BEGINS ON THE NEXT PAGE:

DEPARTMENT OF CONSERVATION

NOTICE OF ADOPTED AMENDMENT(S)

TITLE 17: CONSERVATION
CHAPTER I: DEPARTMENT OF CONSERVATION
SUBCHAPTER b: FISH AND WILDLIFE

PART 530

COCK PHEASANT, HUNGARIAN PARTRIDGE, BOBWHITE QUAIL,
RABBIT AND CROW HUNTING

- Section 530.10 Statewide General Regulations
- 530.20 Statewide Cock Pheasant, Hungarian Partridge, Bobwhite Quail, and Cottontail and Swamp Rabbit Regulations
- 530.30 Statewide Hungarian Partridge Regulations (Repealed)
- 530.40 Statewide Bobwhite Quail Regulations (Repealed)
- 530.50 Statewide Rabbit Regulations (Repealed)
- 530.60 Statewide Crow Regulations
- 530.70 Controlled Pheasant Hunting Sites Permit Requirements
- 530.80 Controlled Pheasant Hunting Regulations
- 530.90 Illinois Youth Pheasant Hunting Sites Permit Requirements
- 530.100 Illinois Youth Pheasant Hunting Regulations
- 530.105 Regulations for Fee Hunting of Pheasant, Hungarian Partridge, Quail and Rabbit at Controlled Daily Drawing Pheasant Hunting Sites
- 530.110 Regulations for Non-Fee Hunting of Cock Pheasant, Hungarian Partridge, Quail, and Rabbit at Various Department-Owned or -Managed Sites
- 530.115 Regulations for Hunting by Falconry Methods at Various Department-Owned or -Managed Sites
- 530.120 Regulations for Hunting Crow at Various Department-Owned or -Managed Sites

AUTHORITY: Implementing and authorized by Sections 1.3, 1.4, 1.13, 2.1, 2.2, 2.33, 2.6, 2.7, 2.27, 2.30, 3.5, 3.27, 3.28, and 3.29 of the Wildlife Code (Ill. Rev. Stat. 1991, ch. 61, pars. 1.3, 1.4, 1.13, 2.1, 2.2, 2.33, 2.6, 2.7, 2.27, 2.30, 3.5, 3.27, 3.28, and 3.29).

SOURCE: Adopted at 5 Ill. Reg. 8777, effective August 25, 1981; codified at 5 Ill. Reg. 10634; amended at 6 Ill. Reg. 10667, effective August 20, 1982; amended at 7 Ill. Reg. 10755, effective August 24, 1983; amended at 8 Ill. Reg. 21574, effective October 23, 1984; amended at 9 Ill. Reg. 15846, effective October 8, 1985; amended at 10 Ill. Reg. 15579, effective September 16, 1986; emergency amendments at 10 Ill. Reg. 18822, effective October 16, 1986, for a maximum of 150 days; emergency expired March 15, 1987; amended at 11 Ill. Reg. 10546, effective May 21, 1987; amended at 12 Ill. Reg. 12016, effective July 7, 1988; amended at 13 Ill. Reg. 12796, effective July 21, 1989; emergency amendments at 13 Ill. Reg. 12985, effective July 31, 1989, for a maximum of 150 days; emergency expired December 28, 1989; amended at 13 Ill. Reg. 17348, effective October 27, 1989; amended at 14 Ill. Reg. 10755, effective June 20, 1990; emergency amendments at 14 Ill. Reg. 18324, effective October 29, 1990, for a maximum of 150 days; emergency expired March 28, 1991; amended at 15 Ill.

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Reg. 9924, effective June 24, 1991; amended at 15 Ill. Reg. 18138, effective December 6, 1991; amended at 16 Ill. Reg. 12470, effective July 28, 1992; amended at 16 Ill. Reg. 18951, effective December 1, 1992.

Section 530.70 Controlled Pheasant Hunting Sites Permit Requirements

- a) Applicants must contact the Department of Conservation (Department or DOC) to obtain a permit reservation (except for Wayne Fitzgerald where applicants must contact the concessionaire). Starting dates and methods for making reservations will be publicly announced. Only applications for reservations submitted by Illinois residents will be processed during the first two weeks of the application period. Applicants making reservations will be sent confirmation.
- b) Permits will be issued until the daily quota is filled. The daily quota is determined by the formula one hunter per 10 to 40 huntable acres. Huntable acres are determined by, but not limited to, the biological studies on the number of the species available, the condition, topography, and configuration of the land at the site, the condition of the roads at the site, and the number of employees available to work at the site.
- c) The permit authorizes the permit holder to bring one hunting partner. (The hunting partner cannot hunt without the permit holder being present to hunt.) The Springfield permit Office cannot transfer or alter reservations to change hunting areas, dates or hunters' names. Permits cannot be transferred on the hunting areas. For other information write to:

Illinois Department of Conservation
Permit Office - Pheasant
2nd Floor Lincoln Tower Plaza
524 South Second St.
Springfield, Illinois 62701-1787

- d) Reservations for pheasant hunting will be issued from the Springfield permit Office for Chain O'Lakes State Park, Des Plaines State Fish and Wildlife Area, Eldon Hazlet State Park (Carlyle Lake), Iroquois County State Wildlife Area, Wayne Fitzgerald State Recreation Area (Rend Lake), Richland County Controlled Pheasant Hunting Area and Green River State Wildlife Area (Lee County Conservation Area).

(Source: Amended at 16 Ill. Reg. 18951, effective December 1, 1992)

Section 530.80 Controlled Pheasant Hunting Regulations

- a) The controlled hunting season is November 4 through December 13, both dates inclusive, with the following exceptions:
- 1) All areas shall be closed to pheasant permit hunting on every Monday and Tuesday during the controlled hunting season and November 20 and December 4, 1992.
 - 2) All areas are open to the Illinois Youth Pheasant Hunting Program

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only on November 8.

- 3) The controlled hunting season on the Green River State Wildlife Area (Lee County Conservation Area) is November 4 through Thursday before the first firearm deer season and from Wednesday following the first firearm deer season through December 13 and December 19 and December 20.
- 4) The controlled hunting season on the Iroquois County State Wildlife Area is October 28 through Thursday before the first firearm deer season and from Wednesday following the first firearm deer season through December 6 and December 12 and December 13.
- 5) The controlled hunting season on the Wayne Fitzgerald State Recreation Area (Rend Lake) will be publically announced.
 - b) Hunting hours are from 9:00 a.m. to 4:00 p.m. Hunters with reservations are required to check in at the check station between 7:00 a.m. and 8:00 a.m. Reservations are void after 8:00 a.m.
 - c) When daily quotas are not filled, permits shall be issued on a first-come, first-served basis until 12:00 Noon.
 - d) Hunters are required to deposit their hunting license in the check station while hunting. Persons exempt by law from having a hunting license must deposit their Firearm Owner's Identification Card. If they are under 21 years old and do not have a card they must be accompanied by a parent, legal guardian or a person in loco parentis who has a valid card in possession. A \$15.00 Daily Usage Stamp must be purchased at each area (except at Wayne Fitzgerald (Rend Lake) a Daily Usage Stamp is not required. Fees and method(s) of payment at Wayne Fitzgerald will be publically announced).
 - e) Hunters are required to wear a cap and upper outer garment of solid and vivid blaze orange of at least 400 square inches. Hunters must also wear a back patch issued by the check station.
 - f) Anyone who has killed game previously and has it in his possession or in his vehicle must declare it with the person in charge of the area when he checks in. All such game found in a hunter's possession after he has started hunting on the area shall be considered illegally taken if the hunter has not declared it prior to going into the field.
 - g) All hunting must be done with shotguns or bow and arrow. Only shot shells with a shot size of No. 5 lead or No. 3 steel or smaller may be used, except at the Wayne Fitzgerald State Recreation Area where only shot shells with a shot size of No. 3 steel or smaller may be used. Flu flu arrows only may be used by bow and arrow hunters.
 - h) Non-hunters are not allowed in the field.
 - i) Hunters under 16 years of age must be accompanied by an adult hunter.
 - j) Pheasants only may be taken. Daily limit:
 - Two pheasants of either sex at Eldon Hazlet State Park, Chain O'Lakes State Park, Iroquois County State Wildlife Area, Richland County Controlled Pheasant Hunting Area, Wayne Fitzgerald State Recreation Area, Des Plaines State Fish and Wildlife Area and Green River State Wildlife Area (Lee County Conservation Area).
 - k) Tagging of birds.

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All pheasants must be affixed with a Department tag before they are removed from the area during the controlled pheasant hunting season. The tag must remain on the leg of the pheasants until the pheasants are finally prepared for consumption.

- 1) Hunters may not leave the confines of any permit area and return to hunt on the permit area during the same day.
- m) It shall be unlawful to hunt on a site listed in subsection (j) above for the remainder of the controlled hunting season after being issued a citation for violation of the Wildlife Code (Ill. Rev. Stat. 1991, ch. 61, par. 2-33(g), (i), (j), (k), (n), (o), (p), (u), (x), (z), (cc) and (gg)) or 17 Ill. Adm. Code 510.10(c)(4), (f), (i) and (l2) and subsection 530.20(d) and subsections (d), (e), (g), and (j) of this Section, at that site. Hunters so cited may appeal the loss of hunting privileges to the site superintendent at the site where the violation(s) occurred. Hunters may also request a hearing within ten days of the citation by written request addressed to: Legal Division, Department of Conservation, 524 South Second Street, Springfield, IL 62706. Such hearing shall be governed by the provisions of 17 Ill. Adm. Code 2530.

(Source: Amended at 16 Ill. Reg. 18951, effective December 1, 1992)

Section 530.90 Illinois Youth Pheasant Hunting Sites Permit Requirements

- a) Applicants must contact the Department to obtain a permit reservation (except for Sangchris Lake and Railsplitter State Park). Starting dates and methods for making reservations will be publicly announced. Only applications for reservations submitted by Illinois residents will be processed during the first two weeks of the application period. Applicants making reservations will be sent confirmation. Up to five reservations, but only one per applicant, may be made. Multiple reservations for the same person will not be accepted and that person will forfeit his right to acquire a reservation for the season. There is no fee for the youth pheasant hunting permit.
- b) Only one permit per person will be issued until the daily quota is filled. The daily quota is determined by the formula one hunter per 10 to 40 huntable acres. Huntable acres are determined by, but not limited to, the biological studies on the number of the species available, the condition, topography, and configuration of the land at the site, the condition of the roads at the site, and the number of employees available to work at the site.
- c) The Springfield Permit Office cannot transfer or alter reservations to change hunting areas, dates or hunters' names. Permits cannot be transferred on the hunting areas. For other information (except Sangchris Lake and Railsplitter State Park) write to:

Illinois Department of Conservation
Permit Office - Pheasant
Lincoln Tower Plaza

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524 South 2nd Street - Second Floor

Springfield, Illinois 62701-1787

- d) Reservations for the Illinois Youth Pheasant Hunt will be issued from the Springfield Permit Office for Chain O'Lakes State Park, Des Plaines State Fish and Wildlife Area, Eldon Hazlet State Park (Carlyle Lake), Iroquois County State Wildlife Area, Moraine View State Recreation Area, Wayne Fitzgerald (Rend Lake) State Recreation Area, Richland County Controlled Pheasant Hunting Area, Green River State Wildlife Area (Lee County Conservation Area) and Horseshoe Lake Recreation Area (Madison County).
- e) Permits for the Youth Pheasant Hunt at Sangchris Lake State Park will be issued by a mail-in drawing at the site office. Registration procedures and hunter quota will be announced by public news release. Applicants must be between the ages of 10-15 inclusive. Permits available after the drawing will be allocated on a first-come basis from the site office.
- f) Permits for the Youth Hunt at Railsplitter State Park and Mackinaw River State Fish & Wildlife Area will be issued by a mail-in drawing at the site office. Registration procedures and hunter quota will be announced by public news release. Applicants must be between the ages of 10-15 inclusive. Permits available after the drawing will be allocated on a first-come or first-call basis from the site office.

(Source: Amended at 16 Ill. Reg. 18951, effective December 1, 1992)

Section 530.100 Illinois Youth Pheasant Hunting Regulations

- a) The Illinois Youth Pheasant Hunt will be November 8, 1992, except at Sangchris Lake State Park where the hunt will be December 12, 1992, and at Railsplitter State Park where the hunt will be November 28, 1992 and at Mackinaw River State Fish & Wildlife Area where the hunt will be the first Saturday of the statewide upland season.
- b) Hunting hours are from 9:00 a.m. to 4:00 p.m. Hunters with reservations or permits are required to check in at the check station between 7:00 a.m. and 8:00 a.m. (between 8:00 a.m. and 8:30 a.m. at Sangchris Lake and Railsplitter State Park).
- c) All hunters must be between the ages of 10 and 15 inclusive and have a youth hunting permit. Stand-by permits will not be available except at Sangchris Lake and Railsplitter State Park.
- d) All hunters are required to deposit their hunting licenses in the check station while hunting. Each permit holder MUST be accompanied by a non-hunting supervisory adult, except at Mackinaw River State Fish & Wildlife Area where one supervisory adult per youth will be allowed hunting rights. If the hunter does not have a valid Firearm Owner's Identification Card (FOID), the supervisory adult is required to have a valid FOID Card. Only one supervisory adult in a hunting party is required to have a valid FOID Card if the hunters in the hunting party stay under the immediate control (accompany youth hunter at all times)

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- e) of the supervisory adult possessing the valid FOID Card.
- f) Hunters and supervising adults are required to wear a cap and upper outer garment of solid and vivid blaze orange of at least 400 square inches. Hunters must also wear a back patch issued by the check station.
- g) Anyone who has killed game previously and has it in his possession or in his vehicle must declare it with the person in charge of the area prior to hunting on the area. All previously killed game found in a hunter's possession after he has started hunting on the area will be considered illegally taken if the hunter has not declared it prior to going into the field.
- h) All hunting must be done with shotguns. Only shot shells with a size of No. 5 lead or No. 3 steel or smaller may be used, except at the Wayne Fitzgerald State Recreation Area where only shot shells with a shot size of No. 3 steel or smaller may be used.
- i) Daily limit.

- 1) Two pheasants of either sex at Eldon Hazlet State Park, Chain O'Lakes State Park, Iroquois County State Wildlife Area, Green River State Wildlife Area, (Lee County Conservation Area), Des Plaines State Fish and Wildlife Area, Richland County Controlled Pheasant Hunting Area, Wayne Fitzgerald State Recreation Area, Moraine View State Recreation Area and Horseshoe Lake State Recreation Area (Madison County).
- 2) Two cock pheasant, eight quail and four rabbits, at Sangchris Lake State Park.
- 3) Two cock pheasant and four rabbits at Railsplitter State Park.
- 4) Statewide Limits, Mackinaw River State Fish & Wildlife Area.

- i) All pheasants must be affixed with a Department tag before they are removed from the area (except Sangchris Lake and Railsplitter State Park and Mackinaw River State Fish & Wildlife Area). The tag must remain on the leg of the pheasants until the pheasants are finally prepared for consumption.

(Source: Amended at 16 Ill. Reg. 18951, effective December 1, 1992)

Section 530.105 Regulations for Fee Hunting of Pheasant, Hungarian Partridge, Quail and Rabbit at Controlled Daily Drawing Pheasant Hunting Sites

- a) All the regulations in 17 Ill. Adm. Code 510 - General Hunting and trapping apply in this Section, unless this Section is more restrictive.
- b) All hunters must wear a cap and upper outer garment of solid and vivid blaze orange of at least 400 square inches.
- c) All areas are closed to fee upland game hunting Mondays and Tuesdays, Christmas Day and New Year's Day and November 20 and December 4.
- d) Hunting hours are 9:00 a.m. to 3:00 p.m. (except on Thanksgiving Day hunting hours are 9:00 a.m. to 1:00 p.m. at Kankakee River State Park, Silver Springs State Park and Sand Ridge State Forest).

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- e) All hunting must be done with shotgun or bow and arrow. Only shot shells with a shot size of No. 5 lead or No. 3 steel or smaller may be used. Flu flu arrows only may be used by bow and arrow hunters.
- f) All pheasants must be affixed with a Department tag before they are removed from the area. The tag must remain on the leg of the pheasants until the pheasants are finally prepared for consumption.
- g) A drawing shall be held at the site for hunter quotas; a \$15.00 daily usage stamp is required opening date through the day following the final game bird release.
- h) When daily quotas are not filled, hunters are allowed to check in on a first-come first-served basis until 1:00 p.m.
- i) The Department shall announce by public news release the registration time and quota to be filled.
- j) Hunters are required to deposit their hunting license in the check station while hunting. Persons exempt by law from having a hunting license must deposit their Firearm Owner's Identification Card. If they are under 21 years old and do not have a card they must be accompanied by a parent, legal guardian or a person in loco parentis who has a valid card in possession.
- k) A back patch issued at the check station must be worn while hunting.
- l) Non-hunters are not allowed in the field.
- m) Hunters must not leave the site without first checking out.
- n) Daily Limit:
Pheasant - 2 (either sex may be harvested)
Bowhite Quail - 8
Hungarian Partridge - 2
Rabbit - 4
- o) Statewide regulations as provided for in this Part apply at the following Controlled Daily Drawing Pheasant Hunting sites, except as noted above and in parentheses below:
Horseshoe Lake State Park (Madison County) (hunting season opens the first hunting day after the close of the duck hunting season; hunting by falconry methods allowed from day after controlled pheasant season through the close of statewide upland game falconry season)
Johnson-Sauk Trail State Park
Kankakee River State Park (Hunters must check out within 15 minutes of the close of hunting hours)
Sand Ridge State Forest
Washington County Conservation Area
- p) It shall be unlawful to hunt on a site listed in subsection (o) above for the remainder of the controlled hunting season after being issued a citation for violation of the Wildlife Code (Ill. Rev. Stat. 1991, ch. 61, par. 2.33(g), (i), (j), (k), (n), (o), (p), (u), (x), (z), (cc) and (gg)) or 17 Ill. Adm. Code 510.10(c)(4), (6), (11) and (12), subsection 530.20(d) and subsections (b), (d) and (j) of this Section, at the site. Hunters so cited may appeal the loss of hunting privileges to the site superintendent at the site where the violation(s) occurred. Hunters may also request a hearing within ten

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days of the citation by written request addressed to: Legal Division, Department of Conservation, 524 South Second Street, Springfield IL 62701. Such hearing shall be governed by the provisions of 17 Ill. Adm. Code 2530.

(Source: Amended at 16 Ill. Reg. 18951, effective December 1, 1992)

Section 530.110 Regulations for Non-Fee Hunting of Cock Pheasant, Hungarian Partridge, Quail, and Rabbit at Various Department-Owned or -Managed Sites

- a) All the regulations in 17 Ill. Adm. Code 510--General Hunting and Trapping apply in this Section, unless this Section is more restrictive.
- b) Flu flu arrows only may be used by bow and arrow hunters.
- c) Hunters engaged in quail, rabbit, pheasant, or Hungarian partridge hunting must wear a cap and upper outer garment of solid and vivid blaze orange of at least 400 square inches at all Department-owned or -managed sites.
- d) The Department will announce by public news release the registration time and quota to be filled at sites where the hunter quota will be filled by drawing at the sites.
- e) Statewide regulations as provided for in this rule apply at the following sites (exceptions are in parentheses):

AMAX Leased Lands
Anderson Lake Conservation Area
Argyle Lake State Park
Banner Marsh State Fish and Wildlife Area (season - the day after the close of the duck season - until statewide closing)
Big Bend Conservation Area
Big River State Forest (no hunting during firearm deer season)
Cache River State Natural Area
Campbell Pond Wildlife Management Area
Carlyle Lake Lands and Waters - Corps of Engineers-managed lands
Carlyle Lake Wildlife Management Area (no hunting in the subimpoundment area 3 days prior to and during waterfowl season)
Chain O'Lakes State Park -- (opens open November 20 and December 4 and Wednesday after permit pheasant season for five consecutive days, except closed on Christmas Day; 8:00 a.m. to 4:00 p.m.; hunters must check in and check out; daily quota filled on first-come, first-serve basis; DOC issued back patch must be worn while hunting; only shot size of No. 5 lead or No. 3 steel or smaller may be used; pheasants of either sex may be taken; hens must be tagged with Department tag at the check station before leaving the area)
Chauncey Marsh (permit required; obtain at Red Hills State Park headquarters prior to hunting; must return permit by February 15)
Clinton Lake State Recreation Area (8:00 a.m. - 4:00 p.m.; hunters must check in and check out; DOC issued back patch must

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be worn while hunting; hunters surrender hunting license while hunting)

Crawford County Conservation Area

Des Plaines Fish and Wildlife Area (opens open November 20 and December 4 and Wednesday through Sunday after permit pheasant season, and the following Wednesday through Sunday only; closed on Christmas Day and New Year's Day; 9:00 a.m. to 4:00 p.m.; check in and check out required; daily quota filled by first-come, first-serve basis; hunters must wear DOC issued back patch while hunting; hunters must check out by 4:15 p.m.; only shot size of No. 5 lead or No. 3 steel or smaller may be used; pheasants of either sex may be taken; hens must be tagged with Department tag at the check station before leaving the area)

Dog Island Wildlife Management Area

Eldon Hazlet State Park (North of Allen Branch and West of Peppenhorst Branch only)

Ferrie Clyffe State Park

Fort de Chartres Historic Site (hunting with muzzle-loading shotgun or bow and arrow only)

Fort Massac State Park

Giant City State Park

Green River State Wildlife Area (Lee County Conservation Area) (hunting for rabbit and quail on December 4 and Monday and Tuesday only during the permit pheasant season; pheasant hunting permitted two days following close of permit pheasant season; cocks only may be taken)

Hamilton County Conservation Area (8:00 a.m. to statewide close) Herschel Workman Habitat Area (Vermilion County Pheasant Stamp Site) (Open only November 7, 8, 14, 22, 26, 29, December 5, 13, 19, and 25; hunters shall apply to the Department of Conservation Permit Office for permit to hunt a specific day within the statewide season; permits will be allocated by a random drawing; procedures for application and drawing will be announced by news release; permits must be in possession while hunting; only one permit per person per year will be issued; each permit authorizes the holder to bring two hunting partners; permit must be returned and harvest reported by February 15 or hunters will forfeit hunting privileges for this site for the following year)

Horseshoe Lake Public Hunting Area - Alexander County (Waterfowl Permit Area closed)

I-24 Wildlife Management Area

Iroquois County State Wildlife Area (season is December 4 and December 11 and opens two days after the pheasant permit season closes and runs for 5 consecutive days; 8:00 a.m. to 4:00 p.m.; hunters must check in and check out and wear Department issued back patch while hunting; pheasants of either sex may be taken, hen pheasants must be tagged with Department tag at the check station before leaving the area)

Johnson-Sauk Trail State Park (no-hunting-on-Mondays-and-Tuesdays

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and-after-November-30 drawing at site for hunter quota; 9:00 a.m. to 3:00 p.m.; non-fee hunting opens Wednesday after the final game bird release and continues until the close of the season, except closed Christmas Day, Mondays and Tuesdays; only shot size of No. 5 lead or No. 3 steel or smaller may be used)

Jubilee College State Park (Sunrise to 4:00 p.m.)

Kaecker Sand Prairie Habitat Area (Lee County Pheasant Stamp Site) (Open only November 7, 8, 13, 15, 21, 26, 29, December 4, 6, 13, 18, 20 and 25; hunters shall apply to the Department of Conservation Permit Office for permit to hunt a specific day within the statewide season; permits will be allocated by a random drawing; procedures for application and drawing will be announced by news release; only one permit per person per year will be issued; permits must be in possession while hunting; each permit authorizes the holder to bring two hunting partners; permit must be returned and harvest reported by February 15 or hunters will forfeit hunting privileges for this site for the following year)

Kankakee River State Park (9:00 a.m. to 3:00 p.m.; non-fee hunting opens Open November 20 and December 4 and the Wednesday after the final game bird release for five consecutive days or until the end of the season, whichever comes first; closed Christmas Day, New Year's Day and Mondays and Tuesdays; hunters must check in and check out; daily quota filled by drawing at 8:30 a.m.; hunters must check out by 3:15 p.m.; DOC back patch must be worn while hunting; only shot size of No. 5 lead or No. 3 steel or smaller may be used)

Kaskaskia River Fish and Wildlife Area (except Doza Creek Waterfowl Management Unit closed 3 days prior to and during duck season)

Kickapoo State Park (8:00 a.m. to 4:00 p.m.; no hunting during firearm deer season; hunters must check in and check out and report harvest; DOC issued back patch must be worn while hunting during the first 2 weekends of the season)

Kidd Lake State Natural Area

Lake Kinkaid Fish and Wildlife Area

Lake Shelbyville - Kaskaskia and West Okaw Fish and Wildlife Area (steel shot required in Fish Hook, Dunn, McGee and Jonathan Creek waterfowl management units)

Mackinaw River State Fish and Wildlife Area (opens the day after "Youth Hunt" for 9 consecutive days, rabbit hunting only reopens the third Saturday in December for 9 consecutive days, hunting hours 9:00 a.m. to 4:00 p.m.; daily usage quota filled by daily draw or first-come basis; DOC-issued back patches must be worn while hunting)

Marseilles Fish and Wildlife Area (no hunting during firearm deer season)

Marshall State Fish and Wildlife Area (no hunting during firearm deer season)

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Mazonia State Fish and Wildlife Area (opens the first day after the close of the Central Zone duck season, except closed on Monday and Tuesday; hunting hours 9:00 a.m. - 3:00 p.m.; only shot size of #5 lead or #3 steel or smaller may be used; check in and check out required; hunter quota filled by daily drawing for first five days of season; to participate in daily drawing, hunters must check in by 8:30 a.m.; DOC issued backpatch must be worn during first five days; after the first five days, hunters must sign in and sign out and report harvest; area closes at 3:30 p.m. daily; closed Christmas Day)

McLean County Pheasant Stamp Habitat Area (Open only November 7, 8, 14, 22, 26, 29, December 5, 19, and 25; hunters shall apply to the Department of Conservation Permit Office for permit to hunt a specific day within the statewide season; permits will be allocated by a random drawing; procedures for application and drawing will be announced by news release; only one permit per person per year will be issued; permits must be in possession while hunting; each permit authorizes the holder to bring two hunting partners; permit must be returned and harvest reported by February 15 or hunters will forfeit hunting privileges for this site for the following year)

Mernett Conservation Area

Middlefork Fish and Wildlife Area (8:00 a.m. to 4:00 p.m.; no hunting during the firearm deer season; hunters must check in and check out and report harvest; DOC issued back patch must be worn while hunting during the first 2 weekends of the season)

Mississippi River Pools 16, 17, 18, 21, 22, 24, 25 and 26

Moraine View State Park (Wednesday, Thursday, Friday and Saturday only from first Wednesday after opening of pheasant season to December 23; hunting hours 8:00 a.m. to 3:00 p.m. each day; daily hunter quota filled on first-come, first-served basis; hunters must check in and check out at office; no hunting during muzzleloader deer season (December 11-13, 1992))

Mt. Vernon Propagation Center (rabbit only; January 2 to season's end; daily drawing; check-in/check-out and backpatch required; maximum shot size 5 lead or 3 steel)

Panther Creek Conservation Area

Pike County Conservation Area (no hunting after November 30 in Area A; no hunting after December 15 in Area C)
Pyramid State Park (8:00 a.m. to 4:00 p.m.)

Railsplitter State Park (a pheasant and rabbit hunting program will be conducted 3 days only on November 29, and December 12 and 13, 1992; Railsplitter Upland Game Permits will be issued by a mail-in drawing at the site office. Registration procedures and hunter quota will be announced by public news release. Permits available after the drawing will be allocated on a first-come basis from the site office. Each permittee must check in at the site office between 8:00 a.m. and 8:30 a.m. and exchange his hunting license and Railsplitter Upland Game Permit for a back

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patch to be worn while in the field. Hunting hours are 8:30 a.m. to 3:00 p.m. Each hunter must check out and report his harvest at the hunter check station by 4:00 p.m. It is unlawful to hunt in restricted areas)

Ramsey Lake State Park (first-come, first-served for daily hunter quota; 8:00 a.m. to 4:00 p.m.; closed Christmas Day, New Year's Day)

Randolph County Conservation Area

Red Hills State Park (8:00 a.m. to statewide close)

Rend Lake Project Lands and Waters

Rockhouse Creek (Monroe County)

Saline County Conservation Area (8:00 a.m. to 4:00 p.m.)

Sam Dale Conservation Area (8:00 a.m. to 4:00 p.m.)

Sam Parr Fish and Wildlife Area (8:00 a.m. to 4:00 p.m.)

Sand Ridge State Forest (hunters must sign out daily and report their harvest)

Sangamon County Conservation Area

Sanganois Conservation Area

Sangchris Lake State Park (a pheasant and rabbit hunting program will be conducted 1 day only on December 13, 1992 and quail and rabbit hunting program will be conducted one day only on December 19, 1992; Sangchris Lake Upland Game Permits will be issued by a mail-in drawing at the site office. Registration procedures and hunter quota will be announced by public news release. Permits available after the drawing will be allocated on a first-come basis from the site office. Each permittee must check in at the site office between 8:00 a.m. and 8:30 a.m. and exchange their hunting license and Sangchris Lake Upland Game Permit for a back

patch to be worn while in the field. Hunting hours are 8:30 a.m. to 4:00 p.m. Each hunter must check out and report his harvest at the hunter check station by 4:00 p.m. Rabbit hunting only will be permitted at Sangchris Lake State Park from December 20, 1992 through December 31 except on Christmas Day; hunter quota will be announced by public news release; daily Sangchris Lake Rabbit Hunting permits will be issued on a first-come basis at the site office between 8:00 a.m. and 9:00 a.m. on each

respective hunting day. Hunters must possess a Sangchris Lake Rabbit Hunting permit at all times when hunting. Hunting hours are 8:30 a.m. to 4:00 p.m. Each hunter must check out and report his harvest at the hunter check station by 4:00 p.m.)

Shawnee National Forest, LaRue Scatters (sunrise - noon) Shawnee National Forest, Oakwood Bottoms (Greentree Reservoir, west of the Big Muddy Levee, sunrise - noon during statewide waterfowl season; after waterfowl season statewide hours; steel shot only)

Silver Springs State Park (9:00 a.m. to 3:00 p.m.; non-fee hunting (pheasant and rabbit) opens and closes concurrent with the upland game season. Hunt days are Tuesday, Thursday, Saturday and Sunday only. Site is closed on Christmas and New

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Years Day. Hunt hours are from 9:00 a.m. to 3:00 p.m., hunters must check out by 3:15 p.m. For the first 6 hunt days, the hunter quota will be filled by a daily drawing held at 8:30 a.m.; on those days, a back patch will be issued which must be worn during hunting. Thereafter, the hunter quota will be first-come, first-served with daily sign in and sign out required; only shot size of No. 5 lead or No. 3 steel or smaller may be used)

Site M -- Land leased from Commonwealth Edison in Cass County (in designated areas hunting will be allowed on weekends as announced by the Department. Hunting is limited to shotgun only in these areas. The hunter quota will be announced. Check in time is one-half hour before sunrise and all hunters must check in and out through the check station. Parking is permitted at designated parking areas only)

Stephen A. Forbes State Park (8:00 a.m. to 4:00 p.m.)

Tapley Woods State Natural Area (closed during firearm deer season)

Ten Mile Creek State Fish and Wildlife Area (permit required; areas designated as Refuge are closed to all access during Canada Goose Season only, permits must be returned by February 15 to the District Wildlife Manager, 700B West Lafayette, P.O. Box 313, Olney IL 62450; parking card must be displayed in windshield while hunting)

Trail of Tears State Forest

Turkey Bluffs Fish and Wildlife Area

Union County Conservation Area (Firing Line Management Area only) Washington County Conservation Area (drawing at site for hunter quota: 9:00 a.m. to 3:00 p.m.; non-fee hunting open November 20 and December 4 and Wednesday after the final game bird release and continues until the close of the season, except closed Christmas Day, New Year's Day and Mondays and Tuesdays; only shot size of No. 5 lead or No. 3 steel or smaller may be used)

Weinberg-King State Park

Wildcat Hollow State Forest

Witkowski State Wildlife Area (no hunting during all firearm deer seasons).

f) Statewide regulations as provided for in this Part apply at the following sites, with additional regulations in parentheses. In addition, a free permit is required, which is obtained from each site office. Permits must be in possession while hunting. The permit must be returned and harvest reported by February 15 or the hunter will forfeit his hunting privileges at that particular site for the following year.

Eagle Creek State Park

Fox Ridge State Park

Hidden Springs State Forest (no hunting during firearm deer season)

Lake Shelbyville Eagle Creek Wildlife Management Area

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(Source: Amended at 16 Ill. Reg. 18951, effective December 1, 1992)

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1) HEADING OF THE PART: Commercial Fishing in Lake Michigan

2) CODE CITATION: 17 Ill. Adm. Code 850

3) SECTION NUMBERS: ADOPTED ACTION:

850.20 Amendments
850.40 Amendments
850.50 Amendments

4) STATUTORY AUTHORITY: Implementing and authorized by Sections 1.3, 1.3n, 1.4, 1.5, 1.7, 1.10, 5.7, 5.8, 5.19 and 6.1 of the Fish Code of 1971 (Ill. Rev. Stat. 1991, ch. 56, pars. 1.3, 1.3n, 1.4, 1.5, 1.7, 1.10, 5.7, 5.8, 5.19 and 6.1).

5) EFFECTIVE DATE OF AMENDMENTS: December 1, 1992

6) DOES THIS RULEMAKING CONTAIN AN AUTOMATIC REPEAL DATE? No

7) DO THESE AMENDMENTS CONTAIN INCORPORATIONS BY REFERENCE? No

8) DATE FILED IN AGENCY'S PRINCIPAL OFFICE: December 1, 1992

9) NOTICE OF PROPOSAL PUBLISHED IN ILLINOIS REGISTER: August 21, 1992, 16 Ill. Reg. 12818

10) HAS JCARE ISSUED A STATEMENT OF OBJECTIONS TO THESE RULES: No

11) DIFFERENCES BETWEEN PROPOSAL AND FINAL VERSION:

In Section 850.40(b)(1), the second sentence of this paragraph was relabeled 840.40(b)(2) and the subsequent subsections were relabeled (A), (B) and (C).

12) HAVE ALL THE CHANGES AGREED UPON BY THE AGENCY AND JCARE BEEN MADE AS INDICATED IN THE AGREEMENT LETTER ISSUED BY JCARE? Yes

13) WILL THESE AMENDMENTS REPLACE AN EMERGENCY RULE (AMENDMENT, REPEALER) CURRENTLY IN EFFECT? Yes

Section Numbers	Proposed Action	Illinois Register Citation
850.20 Amendments	16 Ill. Reg. 12626, 6/24/92	
850.40 Amendments	16 Ill. Reg. 12626, 6/24/92	
850.50 Amendments	16 Ill. Reg. 12626, 6/24/92	

14) ARE THERE ANY AMENDMENTS PENDING ON THIS PART? No

15) SUMMARY AND PURPOSE OF AMENDMENTS: These amendments will allow the commercial fishermen to commence fishing immediately

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upon filling and licensing. These emergency amendments also establish new harvest quotas designed to maintain the biological balance in Lake Michigan while making five commercial fishing operations viable.

16) INFORMATION AND QUESTIONS REGARDING THESE ADOPTED AMENDMENTS SHALL BE DIRECTED TO:

Jack Price
Department of Conservation
524 S. Second Street, Room 485
Springfield, IL 62701-1787

THE FULL TEXT OF THE ADOPTED AMENDMENTS BEGINS ON THE NEXT PAGE:

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TITLE 17: CONSERVATION
CHAPTER I: DEPARTMENT OF CONSERVATION
SUBCHAPTER b: FISH AND WILDLIFE

PART 850

COMMERCIAL FISHING IN LAKE MICHIGAN

Section

- 850.5 Introduction
850.10 Possession and Identification of Gear
850.20 Quota
850.30 Restricted Commercial Fishing Areas
850.40 Limited Entry
850.50 License Eligibility and License Provisions
850.60 Application for License
850.80 Suspension or Revocation

AUTHORITY: Implementing and authorized by Sections 1.3, 1.3n, 1.4, 1.5, 1.7, 1.10, 5.7, 5.8, 5.19 and 6.1 of the Fish Code of 1971 (Ill. Rev. Stat. 1991, ch. 56, pars. 1.3, 1.3n, 1.4, 1.5, 1.7, 1.10, 5.7, 5.8, 5.19 and 6.1).

SOURCE: Adopted at 3 Ill. Reg. 44, p. 46, effective November 1, 1979; codified at 6 Ill. Reg. 877; amended at 6 Ill. Reg. 3846, effective March 31, 1982; amended at 7 Ill. Reg. 2711, effective March 2, 1983; amended at 8 Ill. Reg. 7220, effective May 15, 1984; emergency amendments at 9 Ill. Reg. 4854, effective April 2, 1985, for a maximum of 150 days; amended at 9 Ill. Reg. 6179, effective April 23, 1985; amended at 10 Ill. Reg. 9789, effective May 21, 1986; amended at 12 Ill. Reg. 7996, effective April 25, 1988; amended at 16 Ill. Reg. 11029, effective June 30, 1992; emergency amendment at 16 Ill. Reg. 12626, effective July 24, 1992, for a maximum of 150 days; amended at 16 Ill. Reg. 18967, effective December 1, 1992.

Section 850.20 Quota

- a) Harvest quotas will be reviewed annually and will be established by the Department for each license fishing year taking into consideration the condition and supply of Lake Michigan fish stocks.
- b) For each license year beginning April 1st and ending March 31st, an annual total harvest quota of 350,000 pounds will be permitted. This quota shall be composed of bloater chub (dressed weight) and not more than 275,000 pounds of yellow perch (round weight) annual total harvest quota of 343,000 pounds (round weight) of yellow perch and 227,000 pounds (dressed weight) of bloater chubs will be permitted. This annual total harvest quota shall be divided equally among each licensee at the beginning of each license year. Upon reaching their share of the annual harvest quota for each species, each commercial licensee holder shall terminate fishing for that species for the remainder of the current license year. It shall be unlawful to possess other species except smelt and alewife

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incidentally caught in bloater chub and yellow perch gill nets, fished in compliance with this Part and the Illinois Fish Code. All other species must be removed immediately from the gill nets as they are brought on board the vessel and returned to the water at once in the same condition as taken.

(Source: Amended December 1, 1985, 16 Ill. Reg. 18967, effective December 1, 1985.)

Section 850.40 Limited Entry

- a) ~~A maximum of 5 active licensed commercial fishing crews~~ The Department shall issue 5 commercial licenses for taking yellow perch and bloater chub. ~~Each license may fish only with the fishing vessel designated on their license. It will be permitted to fish commercially in the Illinois waters of Lake Michigan.~~ Five licenses shall be issued for the fishing year that began April 1, 1992, and the Department shall issue licenses from time to time so that 5 valid licenses are always outstanding at any one time.

- b) Allocation of commercial fishing licenses was determined by a public drawing conducted June 27, 1975. The ranking order in this drawing has been used for expanding numbers of fishing licenses subsequently. ~~Should one or more of the current licensees wish to no longer commercially fish the Illinois waters of Lake Michigan, or is legally determined to be incompetent, the next eligible candidate(s) will be given the opportunity to obtain a Lake Michigan Commercial Fishing license. This ranking order will continue to be used until the list of eligible candidates has been exhausted. In such an event where no more candidates are available from the original list, a public drawing will be advertised to accept new candidates for additional licenses and to establish a ranking order for these new candidates. Should an eligible candidate whose name is reached on the list for license election to receive a license or in the event a licensee's license is revoked for cause, then that eligible applicant or licensee shall be deleted from the eligible list then in effect. Each commercial fishing license for the 1992 fishing year and thereafter shall be issued as follows:~~

- 1) All valid licenses held by individuals or corporations as of April 1, 1992 shall remain in full force and effect.

- 2) Thereafter, licenses shall be issued as necessary to reach and maintain a total of 5 outstanding licenses as follows:

- A) First, to any individual or corporation as described in Section 850.50 who was licensed through a harvest contract pursuant to the public lottery drawing conducted by the Director on June 27, 1975, but such individual or corporation did not hold a valid commercial license for whatever reason on April 1, 1992; provided, that the contractor shall have served any stated period of any license suspension or revocation established by an order of

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the Director. Among those individuals or corporations that meet the criteria under this item, priority shall be given to the individual or corporation that has been without a valid commercial license for the longest period of time.

B) Second, to any other individual or corporation entrant who had his specific name drawn in the public lottery drawing conducted by the Director on June 27, 1975 but was not licensed as a harvest contractor at that time or thereafter.

C) Third, if there are insufficient license applicants available at the beginning of any fishing year who meet the requirements for licensure under this Section for the Director to issue 5 licenses, the Director shall order and conduct a new public lottery drawing before the commencement of the fishing year and shall draw his applicant list from a roster of qualified operators. Should an eligible candidate whose name is reached on the list for license elect not to receive a license or in the event a licensee's license is revoked for cause, then that eligible applicant or licensee shall be deleted from the eligible list then in effect.

c) ~~In the event that a reduction in the number of licenses becomes necessary due to declines in the condition or supply of Lake Michigan fish stocks, the established ranking order will be followed in reverse order utilizing a last-on, first-off procedure.~~

(Source: Amended at 16 Ill. Reg. 18967, effective December 1, 1992)

Section 850.50 License Eligibility and License Provisions

Lake Michigan Commercial Fishing License commences April 1st and expires March 31st ~~the following year~~ and shall be valid for a period of 3 years. To be eligible for a license to fish commercially during a given fishing license year, the applicant, license holder, must meet the following requirements:

- a) Be an individual who has actually resided in Illinois for one year immediately preceding his application for a license to be allowed to fish commercially and who does not claim residency for commercial fishing purposes in another state or country.
- b) Be a corporation incorporated in Illinois for at least one year immediately preceding the application for a license to fish commercially during a given fishing year, or a corporation incorporated in Illinois by a currently licensed Lake Michigan Commercial Fisherman.

1) All stockholders of such corporations shall have been Illinois residents for at least one year immediately prior to owning any stock or interest in said corporation, and remain in Illinois residents as long as they own such stock or interest.

2) Individuals licensed as Lake Michigan Commercial Fisherman who wish to place the license into corporate control must own a controlling interest in the corporation (owns or controls more

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than 50%) at the time of transfer. Such corporations need not have been in existence for one year, but must meet all other requirements.

3) All transfer of ownership interest in said corporation must be reported to the Department within ten (10) days of transfer.

4) No such corporation may be wholly or partially owned by another corporation, and no individual shall own any part of more than one business entity holding a Lake Michigan Commercial Fishing License.

c) Have ownership or legal control of a vessel of at least 12 net tons as documented by the U. S. Coast Guard, showing an Illinois port of registration, having valid United States Coast Guard documentation in full force and effect, and in compliance with all state requirements established for such vessels in the Boat Registration and Safety Act (Ill. Rev. Stat. 1985, ch. 95 1/2, pars 311-1 et seq.). Any request for redesignation of a fishing vessel to be used by the license holder must be submitted in writing to and approved in writing by the Chief, Division of Fisheries. Approval will be granted if the requested vessel meets the U.S. Coast Guard documentation requirements and the license holder has a valid reason for redesignation such as loss or damage of the designated vessel or purchase of another vessel. Such requests must clearly state the reasons for redesignation and the anticipated period of use and shall be accompanied by a copy of the United States Coast Guard document for the requested vessel. Use of the vessel designated in Illinois for commercial fishing purposes in another state shall, upon verification, nullify the designated status of the vessel for commercial fishing purposes in Illinois.

d) Have at least 6,000 feet of properly licensed gill netting possessing a diagonal stretched mesh measurement between 2-3/8 inches through 2-3/4 inches.

e) Agree to keep accurate daily records of his catch and must submit catch reports monthly due to the Department by the 15th day of the following month on forms furnished by the Department (whether licensee did or did not catch fish). All monthly catch reports must be signed by the licensee or corporate chief executive officer. Failure to submit the required catch reports shall be grounds for suspension or revocation of the Lake Michigan Commercial Fishing License.

f) Submit a yearly operational plan by months clearly identifying the port from which his vessel will operate and the exact location at which all harvested fish will be transferred from the vessel to shore. Transfer of fish from the license vessel to another vessel or to shore at any other location not identified in the yearly operational plan shall be grounds for suspension or revocation of the Lake Michigan Commercial Fishing License.

g) Commercially fish at least 40% of the annual license quota per license fishing year.

h) Permit Department biologists and Conservation Police Officers to obtain information from fish harvested such as lengths, weights, scale samples, sex, etc., as deemed necessary for management of Lake

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- Michigan fish stocks.
- i) License all of his commercial equipment as required by the Illinois Fish Code and this Part. A license holder shall not fish under the commercial fishing license of another person.
 - j) The captain of commercial fishing crews on board the vessel must be a resident of the State of Illinois in accordance with the definition in Section 1.3 of the Fish Code of 1971.
 - k) The licensee shall notify the Chief, Division of Fisheries, of any changes (except captain) in commercial fishing crew members in writing within 14 days after the change. Changes in captains requires prior written Department approval by the Chief, Division of Fisheries, and all such requests must be submitted in writing to the Chief, Division of Fisheries. Approval will be given if the Captain meets the requirements set forth in this Section.
 - l) A copy of the Lake Michigan Commercial Fishing license and a current listing of the captain and designated crew must be kept on board the fishing vessel at all times during the commercial fishing operations.
 - m) The licensee or the designated captain of the commercial fishing crew must be on board the vessel at all times during the commercial fishing operations. The licensee shall remain responsible for all obligations owed to the State of Illinois relating to the license, whether the licensee is on board the vessel or not.

(Source: Amended at 16 Ill. Reg. 18967, effective December 1, 1992)

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NOTICE OF ADOPTED AMENDMENTS

- 1) HEADING OF THE PART: Rulemaking and Organization
- 2) CODE CITATION: 2 Ill. Adm. Code 825
- 3) SECTION NUMBERS: ADOPTED ACTION:
825.190 Amendments
825.210 Amendments
825.220 Amendments
TABLE A Amendments
- 4) STATUTORY AUTHORITY: Implementing and authorized by Section 4.01 of the Illinois Administrative Procedure Act (Ill. Rev. Stat. 1991, ch. 127, par. 1004.01).
- 5) EFFECTIVE DATE OF AMENDMENTS: December 1, 1992
- 6) DOES THIS RULEMAKING CONTAIN AN AUTOMATIC REPEAL DATE? No
- 7) DO THESE AMENDMENTS CONTAIN INCORPORATIONS BY REFERENCE? No
- 8) DATE FILED IN AGENCY'S PRINCIPAL OFFICE: November 24, 1992
- 9) NOTICE OF PROPOSAL PUBLISHED IN ILLINOIS REGISTER: Not Applicable - Not subject to First Notice
- 10) HAS JCAR ISSUED A STATEMENT OF OBJECTIONS TO THESE RULES: Not subject to JCAR's review.
- 11) DIFFERENCES BETWEEN PROPOSAL AND FINAL VERSION: Not Applicable - Not subject to First Notice
- 12) HAVE ALL THE CHANGES AGREED UPON BY THE AGENCY AND JCAR BEEN MADE AS INDICATED IN THE AGREEMENT LETTER ISSUED BY JCAR? Not subject to JCAR's review.
- 13) WILL THESE AMENDMENTS REPLACE AN EMERGENCY RULE (AMENDMENT, REPEALER) CURRENTLY IN EFFECT? No
- 14) ARE THERE ANY AMENDMENTS PENDING ON THIS PART? No
- 15) SUMMARY AND PURPOSE OF AMENDMENTS: This is a Department of Conservation internal rule. These amendments update the Section on the Department's organizational structure and add an updated organizational chart.

DEPARTMENT OF CONSERVATION
NOTICE OF ADOPTED AMENDMENTS16) INFORMATION AND QUESTIONS REGARDING THESE ADOPTED AMENDMENTS
SHALL BE DIRECTED TO:

Jack Price
Department of Conservation
524 S. Second Street, Room 485
Springfield, IL 62701-1787

THE FULL TEXT OF THE ADOPTED AMENDMENTS BEGINS ON THE NEXT PAGE:DEPARTMENT OF CONSERVATION
NOTICE OF ADOPTED AMENDMENTSTITLE 2: GOVERNMENTAL ORGANIZATION
SUBTITLE D: CODE DEPARTMENT
CHAPTER VI: DEPARTMENT OF CONSERVATION

PART 825

RULEMAKING AND ORGANIZATION

SUBPART A: PUBLIC INFORMATION

Section
825.5
825.10
825.20
825.30

Public Information and Records
Record Search (Repealed)
Appeal (Repealed)
Fees (Repealed)

SUBPART B: RULEMAKING

Section
825.110
825.120
825.130
825.140
825.150
825.160
825.170
825.180
825.190

Rulemaking
Rules Recommended by Member of Public
Request for a Public Hearing
Notice of Hearing
Hearing Officer
Written Comments
Record
Promulgation of Rulemaking Pursuant to Public
Hearing
Filing and Publication of Adopted Rules

SUBPART C: ORGANIZATION STRUCTURE

Section
825.210
825.220
825.230

Organization Location
Organization Structure
Organization Chart

TABLE A
Organization Chart

EXHIBIT A Request for DOC Records (Repealed)
EXHIBIT B Request for Agency Records - DOC Response (Repealed)
EXHIBIT C Director's Response to Public Information Appeal Request
(Repealed)

AUTHORITY: Implementing and authorized by Section 4.01 of the
Illinois Administrative Procedure Act (Ill. Rev. Stat. ~~1985~~1991,
ch. 127, par. 1004.01).

SOURCE: Rules Governing Department Formal Hearings Conducted for
Rulemaking and Contested Cases, filed December 21, 1977, effective
December 31, 1977; codified as (17 Ill. Adm. Code 2530) at 5 Ill.

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Reg. 10664; amended at 6 Ill. Reg. 10687, effective August 25, 1982; Release and Disclosure of Agency Information to the Public, adopted and codified as (17 Ill. Adm. Code 2540) at 7 Ill. Reg. 8771, effective July 15, 1983; 17 Ill. Adm. Code 2530: Subpart B recodified as 2 Ill. Adm. Code 825: Subpart B and 17 Ill. Adm. Code 2540 recodified as 2 Ill. Adm. Code 825: Subpart A at 8 Ill. Reg. 4133; Subpart C adopted at 8 Ill. Reg. 4135, effective March 19, 1984; amended at 8 Ill. Reg. 7807, effective May 23, 1984; amended at 11 Ill. Reg. 19079, effective November 5, 1987; amended at 16 Ill. Reg. 18974, effective December 1, 1992.

SUBPART B: RULEMAKING

Section 825.190 Filing and Publication of Adopted Rules

- a) The Department shall file in the Office of the Secretary of State and in the Department's principal office a copy of each rule or repeal of any rule adopted by the Department.

- b) The agency shall publish all rules in the Illinois Register. Copies of adopted rules will be sent to the State's Attorney and Sheriff of every county in the State and will be available at all offices of the Department.

- c) Certified copies of rules adopted by the Department may be obtained by contacting the Administrative Rules Coordinator; 524 S. Second Street, Room 485, Springfield, IL 62706.

(Source: Amended at 16 Ill. Reg. 18974, effective December 1, 1992)

SUBPART C: ORGANIZATION STRUCTURE

Section 825.210 Organization Location

The principal offices of the Department of Conservation are located at 524 South Second Street, Springfield, Illinois 62706 and 100 W. Randolph, Chicago, Illinois 60601. There are five regional offices located throughout the state. At each regional office and in Springfield there are wildlife and fisheries biologists, foresters, land managers, and law enforcement officers who can assist the public with any specific conservation-related matter. Regional offices for the department are as follows:

Region I

Region IV

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2612 Locust Street
Sterling, IL 61081
Phone: (815)625-2968
34 West Broadway
4521 Alton Commerce
Parkway
Alton, IL 62002
Phone: (618)462-1181

Region II
110 James Road
Spring Grove, IL 60081
Phone: (815)675-2385
Region V
R. R. 4, Box 68208
Benton, IL 62812
Phone: (618)435-8138

Region III
8 Henson Place
Champaign, IL 61820
Phone: (217)333-5773

(Source: Amended at 16 Ill. Reg. 18974, effective December 1, 1992)

Section 825.220 Organization Structure

The Department is comprised of Office of the Director, Office of Administration, Office of Planning and Development, Office of Land Management and Enforcement, and Office of Resource Management. The responsibilities of the organizational structure are as follows: The Department is comprised of the Office of the Director, the Office of the Deputy Director and the Office of the Assistant Director, with various offices and divisions reporting to each. The responsibilities of the organizational structure are as follows:

- a) Office of the Director

The Office of the Director houses several key functions of the Department of Conservation including Public Information, Governmental Affairs, Employee Services, and Internal Audit. Public Information is responsible for dissemination of information to the citizens of Illinois through press relations, departmental publications and a bi-monthly magazine. Governmental Affairs houses the legal staff and the legislative staff. Employee Services is the office of personnel dealing with all aspects of hiring, discipline, union negotiations and affirmative action programs. Internal Audit conducts studies of department functions and record keeping as prescribed by state statute. The Office of the Director also includes his personal staff of assistants and support staff to help to carry out the programs and duties of the

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~~Department.~~ The Office of the Director houses Public Relations, the Equal Employment Opportunity Program, Internal Audit, Legislation and Budget and Finance. Public Relations is responsible for dissemination of information to the citizens of Illinois through press releases and responses to media inquiries. The Equal Employment Opportunity Program also oversees Affirmative Action, and ensures that the Department effectuates these programs. Internal Audit conducts studies of Department functions and record-keeping as prescribed by state statute. The Office of Legislative prepares legislation, lobbies the legislature, and tracks all legislation which would affect the Department. The Division of Budget and Finance develops the budget and monitors departmental expenditures. The Office of the Director also includes his personal staff of assistants and support staff to help carry out the programs and duties of the Department.

b) Office of Administration Office of the Deputy Director

The Office of Administration operates under the Executive Office and provides leadership and internal support services relating to fiscal management, data processing, office supplies and mail services. The office issues commercial and sportsman's licenses for hunting and fishing, boat and snowmobile registrations, titles, special permits and stamps. Administration office personnel develop the budget and monitor departmental expenditures. The Office of the Deputy Director houses the Northern Illinois Coordinator, the Office of Legal Affairs, the Office of Administration, the Office of Law Enforcement and the Office of Natural Resources Management. The Northern Illinois Coordinator is the administrator and supervisor of the State of Illinois Center office staff. Legal Affairs is the Department's in-house counsel, this division also handles Administrative Rules and Freedom of Information requests. The Office of Administration includes Employee Services which handles personnel matters. It also includes the Divisions of Systems and Licensing and Administrative Support which issue commercial and sportsmen's licenses, boat and snowmobile titles, special permits and stamps, and coordinate licenses, leases and rights-of-way, and provide internal support services relating to data processing, office supplies and mail services. The Office of Law Enforcement is primarily responsible for enforcing the provisions of the Fish Code, Wildlife Code, Boat Registration and Safety Act, Snowmobile Registration

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and Safety Act, Endangered Species Protection Act, and the Timber Buyers Act. They also have full police authority and often are called to assist local law enforcement agencies. In addition to its law enforcement duties, this office provides a variety of public services including the administration of hunting, boating and snowmobiling safety education programs throughout the State. The Office of Natural Resource Management houses five divisions: Forestry, Wildlife, Natural Heritage, Fisheries and Environmental Impact Analysis. These divisions administer several programs to conserve the State's plant and animal resources. These programs include acquiring and managing prime habitat, providing technical assistance to public and private landowners, setting hunting and fishing regulations and engaging in propagation practices.

c) Office of Planning and Development

~~Developing and executing the department's statewide capital improvement program are the primary responsibilities of the Office of Planning and Development. Other responsibilities include regional and comprehensive planning impact analysis, land acquisition, engineering and architectural services for maintaining and improving department sites and facilities. The office also administers the Department's grant programs.~~

d) Office of Land Management and Enforcement

~~The Office of Land Management and Enforcement houses three divisions, Land Management, Law Enforcement and Special Services. This office is responsible for the safe and proper care of all our state-owned recreational facilities.~~

1) ~~The Land Management Division manages more than 350 state-owned or state-leased sites encompassing more than 355,000 acres. About 76,000 acres is water surface acres, providing opportunities for boating, fishing, skiing, swimming and other water-related activities. Other facilities available at state parks, recreation areas and fish and wildlife areas provide for hiking, birding, picnicking, camping, horseback riding and hunting.~~

2) ~~The Division of Law Enforcement is primarily responsible for enforcing the provisions of the~~

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Fish Code, Wildlife Code, Boat Registration and Safety Act, Snowmobile Registration and Safety Act, Endangered Species Protection Act, and the Timber Buyers Act. They also have full police authority and are called to assist local law enforcement agencies. In addition to its law enforcement duties, the division provides a variety of public services including the administration of hunting, boating and snowmobiling safety education programs throughout the State.

3) The Division of Special Services is responsible for procurement and property control. Special Services also houses our Illinois Conservation Corps, a program geared toward hiring young adults and youths to provide additional manpower at our state recreational sites. This manpower is in addition to the maintenance staff at each site and is for the purpose of minor upgrading of sites and for major maintenance overhauls. Special Services is also responsible for concessions and lease agreements at our facilities.

e) Office of Resource Management

The Office of Resource Management houses four divisions: Forestry, Wildlife, Natural Heritage and Fisheries. This office administers several programs to conserve the state's plant and animal resources. These programs include acquiring and managing prime habitat, providing technical assistance to public and private landowners, setting hunting and fishing regulations and engaging in propagation practices.

1) The Fisheries Division is responsible for meeting the needs of the every growing population of anglers in Illinois by conserving and enhancing the state's fish resources. Fisheries biologists stationed at locations throughout Illinois work with private landowners and public lands managers to rehabilitate and maintain fish populations and habitat. They cooperate with other governmental agencies in water resource development and research and examine fish flesh samples for the presence of chemical contaminants.

2) The Wildlife Division is responsible for maintaining adequate wildlife habitat on private

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and public lands. Habitat is the key to wildlife survival and, through a number of programs, district wildlife biologists assist landowners in providing wildlife food and cover on private lands. Division personnel also are responsible for developing prime habitat on state-owned or state-managed lands.

3) The Natural Heritage Division is responsible for initiating and administering management programs to ensure a future for more than 500 nongame species, 37,000 species of heritage plants, over 400 endangered and threatened species and more than 17,000 designated natural areas.

4) The Forestry Division works closely with private landowners to help them manage their forests for greater productivity and protect their trees from insects and disease. State and federal cost share programs are administered by Conservation Foresters to assist land owners in implementing forest management practices. A federally funded program administered by the Division provides rural fire protection agencies with equipment and training to control wild fires, which threaten hundreds of acres of Illinois forests each year. Facilitating the Department's reforestation program, the State's two nurseries produce more than four million seedling trees and shrubs annually.

c) Office of the Assistant Director

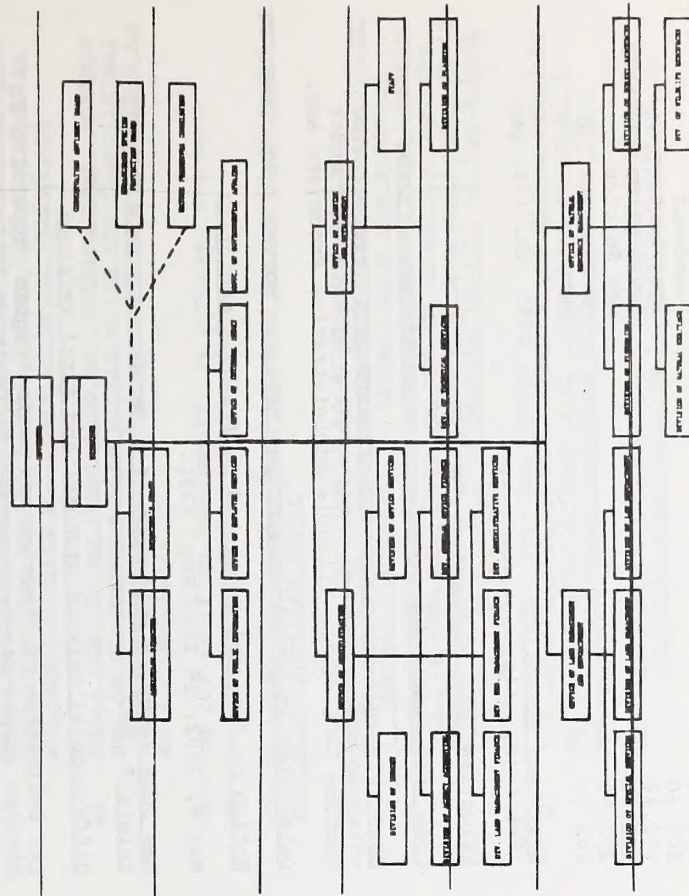
The Office of the Assistant Director consists of Disposition and Inspections, Recycling and Internships, the Office of Resource Marketing and Education, the Office of Land Management, and the Office of Planning and Development. Disposition and Inspections is in charge of disposing of or demolishing unusable buildings and inspecting concessionaires. Recycling and Internship coordinates those two programs. The Office of Resource Marketing and Education oversees Special Events, Outdoor Highlights, Kids for Conservation, Advertising and Merchandise Sales. The Office of Land Management manages the lands under the jurisdiction of the Department. The Office of Planning and Development works out long-range plans, administers grants, oversee the heavy equipment operations and coordinates the acquisition of new lands.

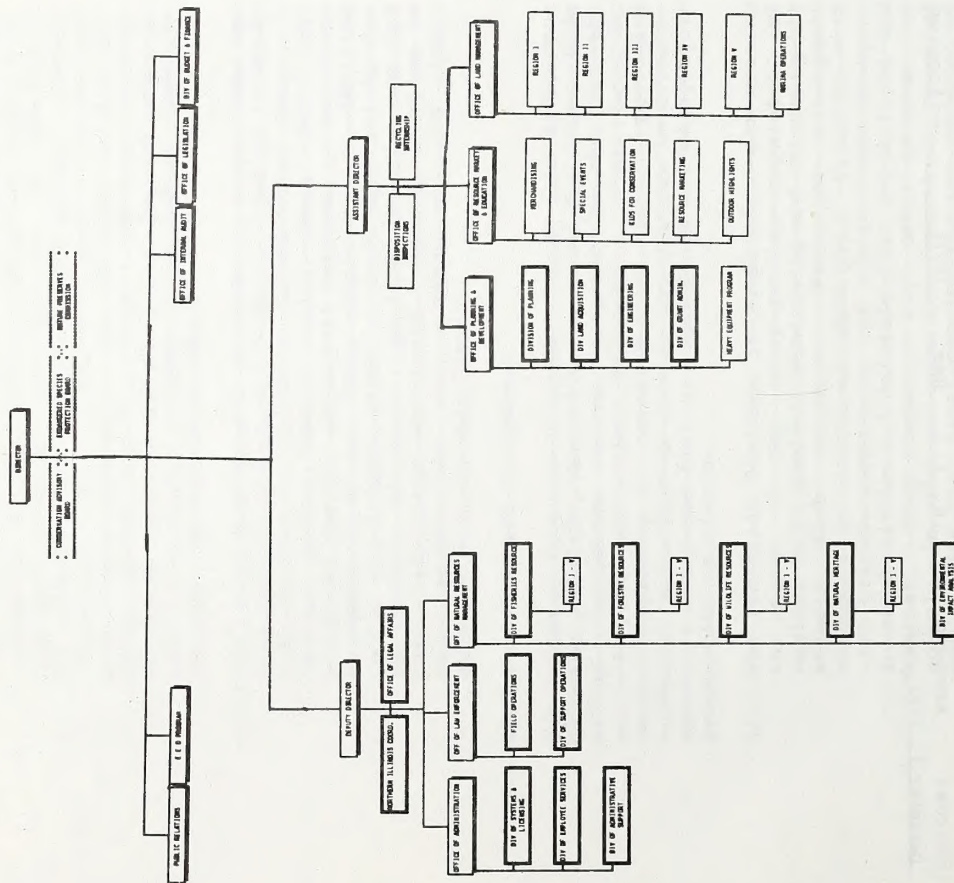
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(Source: Amended at 16 Ill. Reg. 18974, effective December 1, 1992.)

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Section 825. TABLE A Organization Chart



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(Source: Amended at 16 Ill. Reg. 18974, effective December 1, 1992)

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- 1) The Heading of the Part: Disadvantaged Students Funds Plan - Districts Over 50,000 ADA
- 2) Code Citation: 23 Ill. Adm. Code 202
- 3) Section Number:
202.10
202.20
202.30
202.40
202.44
202.46
202.50
202.60
Adopted Action:
Amendment
Amendment
Amendment
New Section
New Section
Amendment
Amendment
- 4) Statutory Authority: Ill. Rev. Stat. 1991, ch. 122, par. 18-8(A)(5)(1)(1).
- 5) Effective Date of Rules: December 1, 1992
- 6) Does this rulemaking contain an automatic repeal date? No.
- 7) Does this rule contain incorporations by reference? The rules do not contain an incorporation by reference under Section 5-75 of the Illinois Administrative Procedure Act.
- 8) Date Filed in Agency's Principal Office: November 25, 1992.
- 9) Notice of Proposal Published in Illinois Register: May 8, 1992; 16 Ill. Reg. 7231.
- 10) Has JCAR issued a Statement of Objections to this (these) rule(s)? No.
- 11) Difference(s) between proposal and final version:
The definition of "Regular and Basic Program" appearing in Section 202.10 has been amended to begin as follows:
"Regular and Basic Program" means any program as defined above, including capital expenditures, that is generally available...
The definition of "Supplemental Program" appearing in Section 202.10 has been amended to begin as follows:

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"Supplemental Program" means any uniquely identified program or service, other than capital expenditures, that...

The assurance set forth in Section 202.30(c)(3) has been expanded to read as follows:

no portion of a supplemental program included in the expenditure plan of any attendance center for the plan year and supported with State Chapter 1 Funds required to be spent only on such programs has ever been identified as a regular and basic program, unless for any of the school years 1992-93, 1993-94, and/or 1994-95, and only for any of these school years:

A) the District has adopted a districtwide or amended districtwide budget which shows that it has substantially reduced the level of instructional and/or other services previously provided under such program and that these reductions are uniformly applicable throughout the District;

B) the District has attached to its Plan a description of the specific regular and basic programs affected and the nature and scope of the reductions; and

C) the District continues to provide, from sources other than State Chapter 1 Funds, at least all those programs and services required pursuant to the School Code and the provisions of 23 Ill. Adm. Code 1 (Public Schools Evaluation, Recognition, and Supervision) (e.g., instruction in all the fundamental learning areas identified in Section 27-1 of the School Code, staff development programs as required by Section 2-3.59 of the School Code, and media services as required by 23 Ill. Adm. Code 1.420(o)); and...

A new subsection 202.30(d) has been added, to read:

The Plan shall contain a description of any effort made by the District to solicit input from Local School Councils and Subdistrict Councils on the nature of any reductions to be made in the regular and basic program provided by the District from sources other than State Chapter 1 Funds. Such an effort (e.g., a public hearing or dissemination of a survey).

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1) shall be conducted in each instance after November 1, 1992, when the District anticipates that the regular and basic program will have to be curtailed and

2) shall provide no fewer than ten working days' advance notice or response time within which the Councils may express priorities or other suggestions with regard to such reductions.

Section 202.46 (Plan Amendments) as proposed has been reordered and expanded to read as follows:

The District may amend a Plan approved by the State Board of Education provided that:

a) whenever a line item in an attendance center's expenditure plan is to be changed by more than \$500 or 10 percent (whichever is larger) from the approved Plan, the change cannot take effect until the District has reviewed each proposed change to ensure that the result remains in compliance with the applicable State Chapter 1 provisions of Section 18-8(A) of the School Code and of this Part;

b) the District has formally adopted and disseminated to each Local School Council no later than November 1, 1992, an amendment procedure which provides for:

1) a District response approving or rejecting each requested amendment, to be provided either

A) within fifteen working days after its receipt in the District's central office, if the amendment would move funds only among existing budget line items in approved programs, or

B) within twenty-five working days after its receipt in the central office, if the amendment would create a new line item within an approved program or create a new program.

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- 2) the presumption that any request remaining unanswered after the applicable period of time as set forth in subsection (1) above is approved (except that such presumption shall not relieve either the District or the requesting attendance center of the obligation to comply with the requirements of Section 18-8(A) of the School Code and this Part); and
- 3) an explanation of the reason for the rejection of any requested amendment, including a specific citation of the applicable statute, regulation, or Chicago Board of Education policy;
- c) each amendment changing a line item in an attendance center's budget by \$500 or 10 percent, whichever is larger, has been approved by the Local School Council;
- d) the District maintains up-to-date documentation showing the reasons for, the amounts, and the effective dates of all such amendments to an attendance center's expenditure plan as defined in Section 202.10; and
- e) the State Superintendent of Education reserves the right to review any amendments adopted pursuant to this Section to ensure that such amendments conform to applicable requirements of Section 18-8(A) of the School Code and this Part.

Section 202.50(b) has been corrected to refer to the Public Funds Investment Act.

- 12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreement letter issued by JCAR?
Yes.
- 13) Will this amendment replace an emergency amendment currently in effect? No.
- 14) Are there any amendments pending on this Part? No.
- 15) Summary and Purpose of Amendments:

This rulemaking is prompted by enactment of P.A. 87-697, which amended Section 18-8 of the School Code. The principal changes in the law include the following:

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- 1) The due date for the Chicago school district's plan for meeting the educational needs of disadvantaged children has been changed from December 1 of each year to July 15.
- 2) The State Board now has 60 days to review the plan instead of 30, and a provision has been added to allow the Chicago Board of Education to amend its plan.
- 3) A separate report (due by December 1) is now required, conveying to the State Board final, detailed expenditure data for the prior year and the plan year. Pursuant to analysis of this information, the State Board may notify the Chicago Board that corrective action is required.

These changes are reflected in the rules as follows:

The new date for plan submission (July 15) is set forth in Section 202.20.

Section 202.30 has been changed in several places to reflect the preliminary nature of much of the information which will be submitted in the July 15 plan.

Section 202.40(a) shows the revision in the timeline for the State Board's review of the plan.

A new Section 202.44 has been added to describe the contents of and review process for the December 1 Plan Expenditure and Modification Report. The Program and Cost Allocation Matrix previously found in Section 202.30(c) now appears as a required component of this report instead. This will permit use of complete and final information for the prior year as a basis for comparison in review of the information submitted for the current, or plan, year.

The new Section 202.46 provides for the plan amendments permitted in the law as revised (see point 2 above) and requires Local School Council approval of significant amendments.

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An additional change has been incorporated, to make it possible under certain circumstances for a program previously designated as regular and basic to become a supplemental program. This is found in Section 202.30(c)(3) (previously labelled (4)).

The remaining changes either are necessary to make the rules internally consistent or are technical in nature (such as changes in references to the School Code).

- 16) Information and questions regarding this adopted amendment shall be directed to:

Name: Dan Dixon
Address: Illinois State Board of Education
100 West Randolph, Suite 14-300
Chicago, Illinois 60601
Telephone: (312) 814-2224

The full text of the Adopted Amendments begins on the next page:

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TITLE 23: EDUCATION AND CULTURAL RESOURCES

SUBTITLE A: EDUCATION

CHAPTER I: STATE BOARD OF EDUCATION

SUBCHAPTER e: INSTRUCTION

PART 202

DISADVANTAGED STUDENTS FUNDS PLAN--DISTRICTS OVER
50,000 ADA

Section
202.10
202.20
202.30
202.40
202.44
202.46
202.50
202.60

Definitions
Filing the Plan
Plan Contents
Plan Approval Procedures and Standards
Plan Expenditure and Modification Report
Plan Amendments
Enforcement Procedures
Quarterly Expenditure Reports and Site Visits

AUTHORITY: Implementing and authorized by Section 18-8(A)(5)(i)(1) of the School Code (Ill. Rev. Stat. 1991, ch. 122, par. 18-8(A)(5)(i)(1)).

SOURCE: Adopted at 3 Ill. Reg. 32, p. 26, effective August 10, 1979; emergency amendment at 5 Ill. Reg. 1325, effective November 17, 1981, for a maximum of 150 days; amended at 6 Ill. Reg. 6215, effective May 19, 1982; codified at 8 Ill. Reg. 536; amended at 10 Ill. Reg. 12769, effective July 11, 1986; Part repealed, new Part adopted by emergency action at 13 Ill. Reg. 13664, effective August 15, 1989, for a maximum of 150 days; Part repealed, new Part adopted at 14 Ill. Reg. 3472, effective February 27, 1990; amended at 16 Ill. Reg. 18986, effective December 1, 1992.

Section 202.10 Definitions

"Count" means a census taken by the District at each attendance center on the twentieth day of the school year for which the Plan required by this Part is applicable. The count shall determine the number of students enrolled at each attendance center in the District and shall be used for the purpose of calculating each attendance center's entitlement to Nontargeted State Chapter 1 Funds.

"District" means any school district with an average daily attendance of 50,000 or more.

"Enrolled" means that a student has taken all steps required by the District to register at an attendance

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center and by such registration is eligible to participate in the educational program offered at the attendance center.

"Expenditure Plan" means the plan prepared by the principal of each attendance center in the District and approved by that center's Local School Council as authorized by Section 34-2.3(4) of ~~the~~ the School Code. In order that the District can meet its responsibilities pursuant to this Part, an expenditure plan must at least contain the following elements:

A list of the attendance center's regular and basic programs as defined herein;

A list of the attendance center's supplemental programs as defined herein;

A table showing the total cost for each regular and basic program and each supplemental program and the proportions of the total cost for each program attributed to one or more of the sources cited in Section ~~202-30(e)(4)~~ and ~~(5)~~ 202.44(b)(3)(D).

"Nontargeted State Chapter 1 Funds" means the amount of State aid provided under subsection 1(n) of Section 18-8(A) of ~~the~~ the School Code by the application of the Chapter 1 weighting factor in excess of .375 as modified by Section 18-8(A)(5)(i)(1)(a) and required to be distributed only to attendance centers within the District in proportion to the total enrollment at each attendance center during the plan year.

"Plan" means the proposed use of State Chapter 1 Funds as set forth in a Plan to Meet the Educational Needs of Disadvantaged Students.

"Plan Year" means the school year for which a Plan has been submitted as required by Section 18-8(A)(5)(i)(1)(d) of ~~the~~ the School Code.

"Program" means, as stated in 23 Ill. Adm. Code 110.50(c)(11) (Program Accounting Manual), "a group of interdependent, closely related services and/or activities progressing toward or contributing to a common objective or set of allied objectives." For each program identified pursuant to this Part as a regular and basic or supplemental program the District must establish and maintain descriptive information which links the total

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cost of each program to statements of what service(s) are provided (e.g., kindergarten); to or for whom the service(s) are provided (e.g., number of students); and at what level of intensity (e.g., adult/student ratio).

"Program and Cost Allocation Matrix" means that portion of the Plan Expenditure and Modification Report required to be submitted to the State Board of Education which includes the information set forth in Section ~~202-30(e)~~ 202.44(b)(3).

"Regular and Basic Program" means any program as defined above, including capital expenditures, that is generally available to students in District attendance centers of the same type (e.g., elementary, secondary, vocational, magnet) and similar size or which is made available to some students in some attendance centers in the District through a categorical program because of their special needs (e.g., handicapped students, bilingual students). Regular and basic programs include all those the District is required to provide pursuant to the provisions of 23 Ill. Adm. Code 1 (Public Schools Evaluation, Recognition and Supervision), and others such as administrative services and support services (e.g., counseling, custodial). For the purposes of this Part, the term "regular and basic program" includes each uniquely identified program or service provided at an attendance center that has its total costs paid from funds other than the State Chapter 1 Funds required to be distributed only to attendance centers for supplemental programs under the provisions of Section 18-8(A)(5)(i)(1)(a) of ~~the~~ the School Code.

"State Chapter 1 Eligible Pupils" means those students enrolled at an attendance center in the District who were eligible to receive free or reduced price lunches or breakfasts under the Child Nutrition Act of 1966, ~~as amended~~ (42 U.S.C. 1771 et seq.), and under the National School Lunch Act, ~~as amended~~ (42 U.S.C. 1751 et seq.), during the school year preceding the plan year.

"State Chapter 1 Funds" means the total amount of money generated in a plan year by application of the provisions contained in Section 18-8(A)(1)(n) of ~~the~~ the School Code.

"Supplemental Program" means any uniquely identified program or service, other than capital expenditures, that:

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is provided only at an attendance center;

is listed in Section 18-8(A)(5)(i)(1)(c) of ~~the~~ the School Code and approved as required therein by a Local School Council as established by Section 34-2.1 of ~~the~~ the School Code; or

will, in the opinion of a Local School Council, be educationally beneficial as evidenced by the Council's approval of the expenditure plan including the supplemental program's title and costs pursuant to the power granted to each Local School Council in Section 34-2.3(4) of ~~the~~ the School Code;

is paid for in whole from the State Chapter 1 Funds required by Section 18-8(A)(5)(i)(1)(c) of ~~the~~ the School Code to be spent only on such programs; and

is included in the supplemental programs identified in the Plan submitted to and approved by the State Board of Education pursuant to the provisions of Section 18-8(A)(5)(i)(1)(d) of ~~the~~ the School Code and of this Part.

"Targeted State Chapter 1 Funds" means the amount of State aid provided under subsection (1)(n) of Section 18-8(A) of ~~the~~ the School Code by the application of the Chapter 1 weighting factor of .375 as modified by Section 18-8(A)(5)(i)(1)(a) of ~~the~~ the School Code and required to be distributed only to the attendance centers within the District in proportion to the number of State Chapter 1 eligible pupils who were enrolled in such attendance centers during the school year preceding the plan year.

"The School Code" means ~~the~~ the School Code (Ill. Rev. Stat. ~~1997~~ 1991, ch. 122, pars. 1-1 et seq.).

(Source: Amended at 16 Ill. Reg. 18986, effective December 1, 1992)
Section 202.20 Filing the Plan

- a) The District shall describe its proposed use of State Chapter 1 Funds in a Plan showing that insofar as possible priority is given to meeting the educational needs of disadvantaged students through the use of supplemental programs. The Plan must be submitted to the State Board of Education before ~~December 1~~ July 15

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annually. The Plan will be effective for the school year in which it is required to be submitted.

- b) The District shall submit five (5) copies of the Plan (one of which is in an electronic medium) before ~~December 1~~ July 15.

- 1) Three (3) copies, one (1) of which is in an electronic medium, shall be submitted to the:

State Superintendent of Education
State Board of Education
100 North First Street
Springfield, Illinois 62777-0001

- 2) Two (2) copies shall be submitted to the:

~~Assistant Superintendent~~
State Board of Education
Chicago Regional Office
State of Illinois Center
100 West Randolph Street, Suite 14-300
Chicago, Illinois 60601

- c) A Plan shall be deemed to have been submitted before the date specified in subsection (a) when:

- 1) it has been delivered by the U.S. Postal Service to the Chicago or Springfield office of the State Board of Education and bears a postmark date before ~~December 1~~ July 15 of the year for which it is applicable, or

- 2) it has been delivered to the Chicago or Springfield office of the State Board of Education by messenger or similar means on any day before the close of business (5:00 p.m.) prior to ~~December 1~~ July 15 of the year for which it is applicable.

(Source: Amended at 16 Ill. Reg. 18986, effective December 1, 1992)
Section 202.30 Plan Contents

The Plan shall be presented in accordance with the format given in this Section and shall include the information and assurances specified herein.

- a) Letter of Transmittal

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The Plan shall include a letter of transmittal signed by the Superintendent of the District and including a statement of the school year for which the Plan is being submitted and a statement that the board of education of the District has formally adopted a motion approving the Plan and authorizing its transmittal to the State Board of Education.

b) Districtwide Program Data, Calculations and Allocations

The Plan shall include calculations, based upon the formulas and procedures applicable to the plan year as specified in Section 18-8(A)(5)(i)(1) of the School Code and using the most recent available data, showing:

- 1) A count of all enrolled students expected to be enrolled in each attendance center on the twentieth school day of the school year;
- 2) A count of all enrolled State Chapter 1 Eligible Pupils expected to be enrolled in each attendance center in the prior school plan year determined at the end of June;
- 3) The amount of the per pupil expenditure for each attendance center in the prior school year and the amount of the per pupil expenditure to be provided each attendance center in the plan year;
- 4) The amount of the State Chapter 1 Funds provided to each attendance center in the prior school year;
- 5) The amount of all other funds provided to each attendance center in the prior school year;
- 6) The total amount of State Chapter 1 Funds made available by application of the weighting formula in Section 18-8(a)(1)(n) of the School Code;
- 7) The proportion (which may not exceed the proportion allowed by law) of the total given for subsection (b)(6) (b)(4) above which is set aside and appropriated by the District for the purpose of providing desegregation programs and related transportation for students, and the remainder resulting therefrom;
- 8) The amounts resulting from separating the remainder calculated in subsection (b)(7)(b)(5) above into

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A) the amount which represents Nontargeted State Chapter 1 Funds,

B) the amount which represents Targeted State Chapter 1 Funds, and

C) the amount of the State Chapter 1 Funds required to be expended only on supplemental programs as defined in Section 202.10;

7) For each attendance center in the plan year, the calculations needed to demonstrate that

A) its average per pupil expenditure (i.e., from all funds) for the plan year will not be less than ninety percent (90%) of the same average for the preceding school year, and

B) its allocation includes the amount needed to replace any loss due to the redistribution of State Chapter 1 funding as required by Section 8(A)(5)(i)(1)(b) 18-8(A)(5)(i)(1)(b) of the School Code, and any shortfall resulting from the District's failure to distribute State aid to the attendance center in accordance with the plan approved for the preceding school year, and

C) its allocation includes an amount equal to the center's unexpended allocation from the preceding school year; and

8) A list of all regular and basic programs identified by the District as conforming to the definition of such programs set forth in Section 202.10, and which the District has required attendance centers to treat as regular and basic programs in their expenditure plans; and

9) A list of all supplementary programs, selected from those authorized by and listed in Section 18-8(A)(5)(i)(1)(c) of the School Code, that will be operated at one or more attendance centers in the plan year, providing the following information for each such program:

A) A description of the instructional and/or other services to be provided. The description must

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specify what will be done, for whom it will be done (e.g., number and grade levels of students, faculty, parents), and at what level of intensity (e.g., amount of instructional and/or service-provision time, staff-student ratio).

B) A statement describing what feature(s) of the program qualify it as meeting the criteria for a supplementary program as defined in Section 202.10.

C) A list of the attendance center(s) where the supplementary program will operate in the plan year.

e) Program and Cost Allocation Matrix

The plan shall include a program and cost allocation matrix that shows for the plan year at each attendance center in the District:

1) its total budget allocation from all sources other than Section 18-8(A)(1)(n) of the School Code;

2) its total budget allocation attributable to the application of the distribution formula and applicable schedules provided in Section 18-8(A)(5)(i)(1)(a) and (c) of the School Code;

3) the amounts resulting from separating the total given in subsection (c)(2) into

A) the amount which represents Nontargeted State Chapter 1 Funds;

B) the amount which represents Targeted State Chapter 1 Funds;

C) the amount of the State Chapter 1 Funds required to be expended only on supplemental programs as defined in Section 202.10;

4) the amount and proportion of the total cost of all regular and basic programs, and of all supplemental programs at the attendance center which are attributable to

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A) all sources, including categorical funds as a subset, other than Section 18-8(A)(1)(n) of the School Code;

B) Targeted and Nontargeted State Chapter 1 funds used for programs other than supplemental programs;

C) State Chapter 1 funds for supplemental programs;

5) the code and its accompanying narrative description which is established by the District to provide a unique descriptor for

A) each attendance center and its expenditure plan;

B) the subset of all regular and basic programs within the attendance center's expenditure plan;

C) the subset of all supplemental programs within the attendance center's expenditure plan; and

D) the amounts and proportions of program costs established pursuant to subsection (c)(4) as applied to subsections (5)(B) and (C).

c) Assurances

The plan shall include a statement of assurances that the District has records which demonstrate that

1) its plan conforms to the requirements of Sections 18-8(A)(1)(n) and 18-8(A)(5)(i) of the School Code and of this part;

2) it has reviewed the expenditure plan of each attendance center to ensure that

A) the allocation of funding by sources and amounts to regular and basic programs and to supplemental programs conforms to the requirements of Section 18-8(A)(5)(i)(1)(a) of the School Code and of this part,

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B) each program identified as regular and basic or supplemental conforms to the applicable definition in Section 202.10,

C) each expenditure plan has been approved by the Local School Council as authorized by Section 34-2.1 of the School Code;

3) ~~the program and cost allocation matrix developed pursuant to subsection (c) is consistent with the decisions of local school councils as reflected in the expenditure plans they have approved pursuant to Section 34-2.3 of the School Code;~~

4) no portion of a supplemental program included in the expenditure plan of any attendance center for the plan year and supported with State Chapter 1 Funds required to be spent only on such programs has ever been identified as a regular and basic program, unless for any of the school years 1992-93, 1993-94, and/or 1994-95, and only for any of these school years:

A) the District has adopted a districtwide or amended districtwide budget which shows that it has substantively reduced the level of instructional and/or other services previously provided under such program and that these reductions are uniformly applicable throughout the District;

B) the District has attached to its Plan a description of the specific regular and basic programs affected and the nature and scope of the reductions; and

C) the District continues to provide, from sources other than State Chapter 1 Funds, at least all those programs and services required pursuant to the School Code and the provisions of 23 Ill. Adm. Code 1 (Public Schools Evaluation, Recognition and Supervision) (e.g., instruction in all the fundamental learning areas identified in Section 27-1 of the School Code, staff development programs as required by Section 2-3.59 of the School Code, and media services as required by 23 Ill. Adm. Code 1.420(a)); and

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4) the funds identified as appropriated and set aside for the provision of desegregation programs and related transportation will be so spent.

d) The Plan shall contain a description of any effort made by the District to solicit input from Local School Councils and Subdistrict Councils on the nature of any reductions to be made in the regular and basic program provided by the District from sources other than State Chapter 1 Funds. Such an effort (e.g., a public hearing or dissemination of a survey)

1) shall be conducted in each instance after November 1, 1992, when the District anticipates that the regular and basic program will have to be curtailed and

2) shall provide no fewer than ten working days' advance notice or response time within which the Councils may express priorities or other suggestions with regard to such reductions.

(Source: Amended at 16 Ill. Reg. 18986, effective December 1, 1992)

Section 202.40 Plan Approval Procedures and Standards

a) The State Board of Education will, within ~~thirty (30)~~ sixty (60) days of after receipt of the Plan, adopt a motion to accept or reject said Plan based upon the standards set forth in Subsection (b) below. This action shall include a statement of the modifications necessary to the subsequent approval of any Plan which is rejected.

b) Standards

Each Plan received as required by Section 202.20 will be analyzed to determine that it

1) has been submitted in the form and contains the components specified in Section 202.30;

2) includes the statements of transmittal and of assurances required in Sections 202.30(a) and 202.30(d)(c);

3) includes formulas, calculations, allocations, data elements and other descriptive information which are accurate and applicable to the plan year; and

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- 4) includes sufficient descriptive information and other data to enable the State Board of Education to determine that the plan does not propose to use State Chapter 1 Funds in any manner or for any purposes other than those authorized by Section 18-8(A) of ~~the~~ the School Code and by this Part.

(Source: Amended at 16 Ill. Reg. 18986, effective December 1, 1992)

Section 202.44 Plan Expenditure and Modification Report

- a) Not later than December 1 of each year, the District shall submit three (3) copies of a Plan Expenditure and Modification Report (hereinafter called a Report), one of which is in an electronic medium, to the State Superintendent of Education.

- b) Each such Report shall include:

- 1) modifications of its plan for the current year as required by the State Board of Education pursuant to the provisions of Section 202.40 and Section 202.50;
- 2) any amendments to its approved plan for the current year which have been adopted by the District in accordance with the provisions of Section 202.46;
- 3) a program and cost allocation matrix applicable to the prior year and the plan year and showing for each attendance center in the District:

- A) its total budget allocation from all sources other than Section 18-8(A)(1)(n) of the School Code;
- B) its total budget allocation attributable to the application of the distribution formula and applicable schedules provided in Section 18-8(A)(5)(i)(1)(a) and (c) of the School Code;
- C) the amounts resulting from separating the total given in subsection (b)(3)(B) of this Section into
- i) the amount which represents Nontargeted State Chapter 1 Funds,
- ii) the amount which represents Targeted State Chapter 1 Funds.

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- iii) the amount of the State Chapter 1 Funds required to be expended only on supplemental programs as defined in Section 202.10;

- D) the amount and proportion of the total cost of all regular and basic programs, and of all supplemental programs at the attendance center which are attributable to

- i) all sources, including categorical funds as a subset, other than Section 18-8(A)(1)(n) of the School Code.

- ii) Targeted and Nontargeted State Chapter 1 funds used for programs other than supplemental programs.

- iii) State Chapter 1 funds for supplemental programs;

- E) the code and its accompanying narrative description which is established by the District to provide a unique descriptor for

- i) each attendance center and its expenditure plan.

- ii) the subset of all regular and basic programs within the attendance center's expenditure plan.

- iii) the subset of all supplemental programs within the attendance center's expenditure plan, and

- iv) the amounts and proportions of program costs established pursuant to subsection (b)(3)(D) of this Section as applied to subsections (b)(3)(E)(ii) and (iii) above; and

- 4) evidence that all obligations of funds under the Plan for the prior year have been liquidated not later than thirty (30) days following the end of that year.

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c1) If the State Superintendent of Education determines, upon review of the Report, that the District has failed to comply with the expenditure provisions regarding contravention or supplanting set forth in Section 18-8(A) of the School Code, then:

- 1) within sixty (60) days after receipt of the Report, the State Superintendent will notify in writing the District and any affected Local School Council of that fact and of the modifications needed to remediate or correct the noncompliance; and
- 2) the District shall, within forty-five (45) days after receiving the notification described in subsection (1) above, notify the State Superintendent of Education in writing of its decision to achieve compliance either by

A) amending its Plan for the current year - if, in the District's judgment, this is feasible; or

B) adjusting its Plan for the succeeding school year.

d1) All written notifications sent pursuant to this Section shall be sent by certified U.S. mail, return receipt requested. The date of receipt of notification shall be deemed to be the date of delivery entered upon the return receipt.

e1) Enforcement of this Section shall be as provided in Section 202.50.

(Source: Added at 16 Ill. Reg. 18986, effective December 1, 1993)

Section 202.46 Plan Amendments

The District may amend a Plan approved by the State Board of Education provided that:

- a1) whenever a line item in an attendance center's expenditure plan is to be changed by more than \$500 or 10 percent (whichever is larger) from the approved plan, the change cannot take effect until the District has reviewed each proposed change to ensure that the result remains in compliance with the applicable State Chapter 1 provisions of Section 18-8(A) of the School Code and of this Part;

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b1) the District has formally adopted and disseminated to each Local School Council no later than November 1, 1992, an amendment procedure which provides for:

- 1) a District response approving or rejecting each requested amendment, to be provided either
 - A) within fifteen working days after its receipt in the District's central office, if the amendment would move funds only among existing budget line items in approved programs, or
 - B) within twenty-five working days after its receipt in the central office, if the amendment would create a new line item within an approved program or create a new program;
- 2) the presumption that any request remaining unanswered after the applicable period of time as set forth in subsection (1) above is approved (except that such presumption shall not relieve either the District or the requesting attendance center of the obligation to comply with the requirements of Section 18-8(A) of the School Code and this Part); and
- 3) an explanation of the reason for the rejection of any requested amendment, including a specific citation of the applicable statute, regulation, or Chicago Board of Education policy;

c1) each amendment changing a line item in an attendance center's budget by \$500 or 10 percent, whichever is larger, has been approved by the Local School Council;

d1) the District maintains up-to-date documentation showing the reasons for, the amounts, and the effective dates of all such amendments to an attendance center's expenditure plan as defined in Section 202.10; and

e1) the State Superintendent of Education reserves the right to review any amendments adopted pursuant to this Section to ensure that such amendments conform to applicable requirements of Section 18-8(A) of the School Code and this Part.

(Source: Added at 16 Ill. Reg. 18986, effective December 1, 1993)

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Section 202.50 Enforcement Procedures

- a) The Regional Superintendent having supervision over the District and the District Superintendent shall receive written notification from the State Board of Education that

- 1) the District has not submitted a Plan before ~~December 1~~ July 15 of the year for which a Plan is required; or
- 2) the District has failed to submit a modified Plan within forty-five (45) days of its notification of the rejection of a Plan pursuant to Section 202.40; or
- 3) the State Board of Education has rejected a modified Plan; or
- 4) the District has failed to submit the Plan Expenditure and Modification Report as required in Section 202.44 or has failed to submit the notification of remedial or corrective action as required in Section 202.44; or
- 5) the State Board of Education has approved a Plan or modified Plan; or
- 6) the State Superintendent has received the Plan Expenditure and Modification Report or the notification of remedial or corrective action.

- b) Upon receipt of a notification pursuant to subsection (a) above, the Regional Superintendent shall withhold or transmit the Targeted and Nontargeted State Chapter 1 funds affected by the ~~Plan or modified Plan~~ as specified in the notification. During any period in which funds are withheld, the Regional Superintendent shall invest such funds in the manner provided in "~~AN ACT relating to certain investments of public funds by public agencies~~" the Public Funds Investment Act (Ill. Rev. Stat. ~~1987~~ 1991, ch. 85, pars. 901 et seq.) and shall transmit the funds and all accrued interest to the District upon receipt of written notification from the State Board of Education that the Board has approved the District's Plan.

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- c) All written notifications sent pursuant to this Section shall be sent by certified U.S. mail, return receipt requested. The date of receipt of notification shall be deemed to be the date of delivery entered upon the return receipt.

(Source: Amended at 16 Ill. Reg. 18986, effective December 1, 1992
Section 202.60 Quarterly Expenditure Reports and Site Visits

- a) The District shall submit three (3) copies of an expenditure report which includes a ~~sheet~~ plan year update for the information required in Section 202.30(b)(3) and ~~to~~ Section 202.44(b)(3) and any amendments adopted pursuant to Section 202.46 for the periods ending November 30, the last day of February, May 31, and August 31. The quarterly expenditure reports shall be submitted to the State Superintendent of Education within 30 days of the end of each reporting period.
- b) State Board of Education staff will use the reports received pursuant to subsection (a) above in conjunction with visits to at least fifteen percent (15%) of the attendance centers in the District during each Plan Year. Such visits shall be for the purpose of determining that attendance center programs and expenditures conform to those set forth in the Plan approved by the State Board of Education.

- 1) Attendance centers will be selected for visitation on the basis of an annual random sampling procedure designed
 - A) to ensure that each attendance center in the District is visited during a consecutive seven-year period (i.e., a cycle); and
 - B) to eliminate any attendance center already visited in a given cycle.
- 2) In addition to the cycle of visits set forth above, State Board of Education staff reserve the right to visit any attendance center in the District whenever such action is needed to ensure that attendance center programs and expenditures conform to those set forth in the Plan approved by the State Board of Education.

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- 3) State Board of Education staff will provide to the District written notice of the attendance center(s) to be visited pursuant to subsection (1) or (2) above. Within twenty (20) days after receiving said notice, the District shall submit to the State Board of Education, at the address cited in Section 202.20(b)(2), a copy of the expenditure plan, including any amendments thereto, for each attendance center listed in the notice.

- c) If the analyses of expenditure reports and/or the visits conducted pursuant to subsection (b) of this Section produce evidence that the District has failed to distribute State Chapter 1 Funds as required in its approved plan, then the plan for the following year shall allocate funds in addition to those otherwise required by section 18-8(A)(5)(i)(1)(a) of the School Code to each affected attendance center in amounts at least equal to such underfunding.

(Source: Amended at 16 Ill. Reg. 18986, effective December 1, 1992)

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- 1) Heading of the Part: PRIMARY DRINKING WATER STANDARDS

- 2) Code Citation: 35 Ill. Adm. Code 611

- 3) Section Numbers: Adopted Action:

611.101, 611.102, 611.110	Amended
611.111, 611.112, 611.113	Amended
611.121, 611.220	Amended
611.232, 611.241	Amended
611.250	Amended
611.295, 611.296	New Section
611.300	Amended
611.301	New Section
611.310	Amended
611.311	Amended
611.320	Amended
611.510	New Section
611.522, 611.523, 611.526	Amended
611.560	Amended
611.591, 611.592	Renumbered, Amended
611.600	New Section
611.601, 611.602, 611.603	Renumbered, New Section
611.604, 611.605	New Section
611.606, 611.607	Repealed, New Section
611.608, 611.609	New Section
611.610	Renumbered, New Section
611.611	New Section
611.612, 611.630	Renumbered, Amended
611.631, 611.640	New Section
611.641, 611.645	Amended
611.646	New Section
611.647	Renumbered, Amended
611.648	Renumbered, New Section
611.650, 611.657	Repealed
611.658	New Section
611.851, 611.852, 611.855	Amended
611.Appendix A	Amended
611.Appendix D	New Section
611.Table B, 611.Table C	Amended
611.Table D	New Section

- 4) Statutory Authority: Ill. Rev. Stat. 1991, ch. 111½, pars. 1017, 1017.5 and 1027.

- 5) Effective Date of amendments: December 1, 1992

- 6) Does this rulemaking contain an automatic repeal date? No.

- 7) Do these amendments contain incorporations by reference?

Yes. Section 611.102 contains the incorporations by reference for this Part. It incorporates several references, mostly analytical methods and procedures used in numerous of the other Sections. The present update extensively amends the incorporations by reference.

- 8) Date filed in Board's principal office: Order adopted November 19, 1992.

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9) Notice of Proposal Published in Illinois Register:

April 10, 1992, 16 Ill. Reg. 5592

10) Has JC&R issued a Statement of Objections to these rules? No.

Section 17.5 of the Environmental Protection Act (Ill. Rev. Stat. 1991, ch. 111½, par. 1017.5) provides that Section 5 of the Administrative Procedure Act shall not apply. Because this rulemaking is not subject to Section 5 of the APA, it is not subject to first notice or to second notice review by JC&R.

11) Differences between Proposal and final version:

The Board has extensively revised the regulatory text since the proposal for public comment. Many of these revisions are the result of public comments. In response to several of the comments, the Board decided to make the text more closely follow that of the federal rules upon which these rules are based. The basis of the proposal for public comment was federal amendments related to microbiological monitoring, promulgated January 8 and 15, 1991, and the federal Phase II regulations, promulgated January 30, 1991, which extensively revised the requirements for monitoring for chemical contaminants and instituted several new maximum contaminant levels (MCLs). Another group of significant revisions is the inclusion of federal amendments promulgated July 1, 1991, January 15, 1992, and June 10, 1992 that significantly affected various passages of the text. The July 1, 1991 federal amendments instituted four new MCLs, but they also revised and corrected the amendments of January 30. The January 15 and June 10, 1992 amendments extended the scope of the January 15, 1991 amendments. For these reasons, the Board included them in this docket. A third group of revisions arose through USEPA comments with regard to state primacy for the Phase I rules adopted in R88-26, in August, 1990. The comments outline a number of corrections the Board and Agency must make in the Illinois SDWA program in order to maintain state primacy. Since the proposal for public comment, the Board received a draft of those comments and opened docket R92-9 to deal with them. The Board later learned that it must complete amendments and the Agency must submit them to USEPA by December 3, 1992, the federal deadline to correct the Phase I deficiencies. Rather than delay the Phase I corrections and potentially lose state primacy, the Board consolidated the corrections together with docket R91-3. Several of the necessary corrections in R92-9 involved Sections affected by docket R91-3, and proceeding separately would have meant missing the federal deadline. Finally, a handful of revisions arise through grammatic and stylistic revision of the text of the proposal for public comment.

The Board's opinion of November 19, 1992 in this matter outlines the revisions on a Section-by-Section basis. Further, the Board will make available to the Joint Committee on Administrative Rules on request a copy of the November 19, 1992 order in this matter that highlights the language changed since the proposal for public comment. However, in summary, the following broadly outlines the revisions since the proposal for public comment:

Section Major Revisions

611.101 Definitions of "distribution system", "entry point", "GWS",

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"mixed system", "old MCL", "reliably and consistently", "representative", "source", "SWS", and "treatment" were moved from various locations as local definitions for use as general definitions; definitions of "I", "mg", "mg/L", "Phase I", "Phase II", "Phase IIB", "SOC", "transient, non-community water system", and "USEPA" were added; and definitions of "reliably and consistently" and "VOC" were significantly revised.

"Pesticide Methods"; "SPE Test Method"; ASTM methods D3086-79, D3478-85, and D3557-78; and "Standard Methods" 509 are deleted; "Standard Methods" 214 and "Organic Methods" are updated to a later edition; "Standard Methods" 301, 307, and 4500 are added.

Various federally-mandated factors for consideration are moved from various substantive provisions and placed into new subsection (e).

Minor, primarily grammatic revisions.

Minor, primarily grammatic revisions, and subsection (g)(3) added in response to USEPA Phase I comments.

(Not in proposal for public comment.) Subsection (e) added in response to USEPA Phase I comments.

(Not in proposal for public comment.) Added to accommodate federal amendment of definition of "MCL"; subsection (b) added to accept former narrative standard erroneously repealed in R88-26.

(Not in proposal for public comment.) Subsection (b)(1) amended in response to USEPA Phase I comments.

(Not in proposal for public comment.) Subsections (a)(2) and (c) amended in response to USEPA Phase I comments.

(Not in proposal for public comment.) Subsection (d)(1) added in response to USEPA Phase I comments; subsection (a) amended to avoid confusion of terms.

(Not in proposal for public comment.) Subsections (a)(1) and (a)(2) amended in response to USEPA Phase I comments.

No substantive change.

Subsection (a) split for clarity. MCLs for cadmium, chromium, mercury, nitrate, selenium, and silver are outright repealed; MCL for fluoride is restored. Applicability of MCL for fluoride changed, and BATs for asbestos and barium corrected.

MCLs for chlordane, lindane, methoxychlor, toxaphene, and 2,4,5-TP are repealed, and subsection (d) deleted.

MCLs for o-dichlorobenzene, cis-1,2-dichloroethylene, trans-1,2-dichloroethylene, 1,2-dichloropropane, ethylbenzene, monochlorobenzene, styrene, and tetrachloroethylene, toluene, total xylenes, 2,4-D, heptachlor, and heptachlor epoxide added; and BATs for aldicarb, aldicarb sulfide, and aldicarb sulfone, 2,4-D, heptachlor, heptachlor epoxide, and pentachlorophenol added.

(Not in proposal for public comment.) Preamble amended in response to USEPA Phase I comments.

(Not in proposal for public comment.) Proposed sections 611.631 and 611.658 consolidated into this Section.

(Not in proposal for public comment.) Subsection (a) amended in response to USEPA Phase I comments.

(Not in proposal for public comment.) Subsections (a) and (a)(3) amended in response to USEPA Phase I comments.

Alternative of subsections (c)(4) and (g) and test of

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- 611.560 subsection (f)(3) added in response to USEPA amendments. (Not in proposal for public comment.) Subsection (a)(1) amended in response to USEPA Phase I comments.
- 611.591 Designation "old MCL" added.
- 611.592 Designation "old MCL" added.
- 611.600 Designations "old MCL" and "revised MCL" added.
- 611.601 Extensive revisions to follow the federal text more closely, many in response to USEPA amendments, others in response to public comments.
- 611.602 See comments re Section 611.601.
- 611.604 See comments re Section 611.601.
- 611.605 See comments re Section 611.601.
- 611.606 Subsection (a) revised to add federal language, and confirmation of confirmation samples added to subsection (c).
- 611.607 Made into a "dummy" to maintain structural parity with USEPA rules.
- 611.608 No substantive change.
- 611.609 "Method" added to subsection (a)(3) and subsections (c) and (d) reworded to follow federal text more closely.
- 611.610 No substantive change.
- 611.611 "Inductively Coupled Plasma Method" 200.7 supplemented with appendix 200.7A, ASTM D2972-88, D3223-86, and D3867-90 updated; ASTM D3859-88A added as a gaseous hydride method for selenium, "Standard Methods" 307 added for arsenic, and "Inductively Coupled Plasma Method" 200.7 added for arsenic; and holding time for mercury samples amended in response to USEPA amendments.
- 611.612 (Not in proposal for public comment.) Text of former Section 611.601 restored in response to USEPA amendments.
- 611.630 No substantive change.
- 611.631 Section changed into a cross-reference to proposed language actually adopted at Section 611.510.
- 611.640 Several proposed definitions appear now in Section 611.101 as general definitions; definitions of "Phase I SOCs", "Phase II SOCs", and "Phase II VOCs" added; and definition of "revised MCL" changed to accommodate changes.
- 611.641 Subsection (b) reworded, and subsection (c) cross-reference corrected.
- 611.645 Cross-reference corrected.
- 611.646 Several proposed definitions appear now in Section 611.101 as general definitions; definitions of "detect" and "detection limit" split and amended, definition of "method detection limit" added, subsections (k)(5) and (q)(2) added and many of balance of subsections revised in response to USEPA amendments and public comments.
- 611.647 Subsections (h)(1)(B)(ii) and (h)(2)(B)(ii) amended in response to USEPA Phase I comments, terminology change to "Phase I VOCs" and "Phase II VOCs" made in several subsections, and subsections (a) through (c) reworded to follow the federal text more closely.
- 611.648 Several proposed definitions appear now in Section 611.101 as general definitions, definitions of "detect" and "detection limit" split and revised, terminology change to "Phase II SOCs" made in several subsections, additional species are added under various methods in subsection (1), subsection (s) is added, and the balance of the subsections are reworded to various degrees to follow the federal text

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- 611.650 more closely.
- 611.657 No substantive change.
- 611.658 Section changed into a cross-reference to proposed language actually adopted at Section 611.510.
- 611.851 Subsection (a)(3)(B) cross-reference corrected, and subsection (c)(2) corrected in response to USEPA Phase I comments.
- 611.852 (Not in proposal for public comment.) Subsection (c)(2) amended in response to USEPA Phase I comments.
- 611.855 (Not in proposal for public comment.) Cross-reference corrected in response to USEPA Phase I comments.
- 611.App.A Paragraphs 36 and 40 revised to add federal text previously omitted.
- 611.App.D (Not in proposal for public comment.) Added to accommodate method approved by USEPA in later amendments.
- 611.Tab.B (Not in proposal for public comment.) Amended in response to USEPA Phase I comments.
- 611.Tab.C (Not in proposal for public comment.) Amended in response to USEPA Phase I comments.
- 611.Tab.D (Not in proposal for public comment.) Added to facilitate USEPA Phase II review.
- 12) Have all the changes agreed upon by the Board and JCAR been made as indicated in the agreement letter issued by JCAR?
- 13) Section 17.5 of the Environmental Protection Act (Ill. Rev. Stat. 1991, ch. 111 1/2, par. 1017.5) provides that Section 5 of the Administrative Procedure Act shall not apply. Because this rulemaking is not subject to Section 5 of the APA, it is not subject to first notice or to second notice review by JCAR.
- 14) Will these amendments replace emergency amendments currently in effect? No.
- 15) Are there any other amendments pending on this Part? No.
- Summary and Purpose of amendments:
- A more detailed description is contained in the Board's opinion of November 19, 1992 in R91-3/R92-9, which opinion is available from the address below.
- In summary, the adopted amendments revise the Illinois SDWA regulations in response to various federal actions. Initially, as a routine update, USEPA amended the SDWA program as follows:
- | | |
|-------------------|------------------|
| 56 Fed. Reg. 636 | January 8, 1991 |
| 56 Fed. Reg. 1556 | January 15, 1991 |
| 56 Fed. Reg. 3578 | January 30, 1991 |
- On January 8, 1991, at 56 Fed. Reg. 643, USEPA amended the microbiological monitoring requirements by adding a new method for detection of *E. coli* and modifying an existing method for detection of total coliforms for determining compliance with the microbiological MCLs. (Suppliers that detect the presence of total coliforms must test for *E. coli*.) The amended methodology for total coliforms is the MPF Technique or Presence-Absence (PA) Coliform Test. The revisions relate

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to transfer of coliform-positive cultures to EC medium. The new presence-absence test methods for *E. coli* involved the use of EC medium or nutrient agar supplemented with 4-methylumbelliferyl- β -D-glucuronide (MUG) and observance of fluorescence upon ultraviolet irradiation after incubation.

On January 15, 1991, at 56 Fed. Reg. 1557, USEPA granted a stay of the ban on variances and exemptions from the total coliform MCL for certain systems. A supplier that demonstrates that a violation of the total coliform requirement is due to the persistent growth of coliforms in the distribution system can obtain a variance or exemption (adjusted standard in the Illinois scheme). The supplier must show that the problem does not result from fecal or pathogenic contamination, a treatment from lapse or deficiency, or from a distribution system operation or maintenance problem.

On January 30, 1991, at 56 Fed. Reg. 3578, USEPA promulgated the Phase II regulations. This instituted maximum contaminant levels (MCLs) for basically five categories of additional chemical contaminants. Three of these have specified associated maximum contaminant levels (MCLs): inorganic chemical contaminants ("IOCs": asbestos, cadmium, chromium, fluoride, mercury, nitrate, nitrite, and selenium), volatile organic chemical contaminants ("VOCs": cis-1,2-dichloroethylene, ethylbenzene, monochlorobenzene, o-dichlorobenzene, styrene, tetrachloroethylene, toluene, trans-1,2-dichloroethylene, xylenes, and 1,2-dichloropropane), and synthetic organic chemical contaminants ("SOCs": alachlor, atrazine, carbofuran, chlordane, dibromochloroethylene or EDB, dibromochloropropane or DBCP, heptachlor, heptachlor epoxide, lindane, methoxychlor, toxaphene, polychlorinated biphenyls or PCBs, 2,4-D, and 2,4,5-T). Two categories do not have specified MCLs: unregulated inorganic chemical contaminants (aldrin, benzo(a)pyrene, butachlor, carbaryl, dalaapon, di(2-ethylhexyl)adipate, di(2-ethylhexyl)phthalates, dicamba, dieldrin, dinoseb, diquat, endosulfan, glyphosate, hexachlorobenzene, hexachlorocyclopentadiene, 3-hydroxycarbofuran, methomyl, metolachlor, metribuzin, oxamyl (vydate), picloram, propachlor, simazine, and 2,3,7,8-TCDD (dioxin)) and unregulated organic chemical contaminants (antimony, beryllium, nickel, sulfate, thallium, and cyanide).

The federal rulemaking adopted a new cyclical monitoring scheme for these contaminants. USEPA initiated a system of three-year compliance periods and nine-year compliance cycles for monitoring. (One compliance cycle includes three compliance periods.) The first compliance cycle and the first compliance period began January 1, 1993. This means that the first compliance period ends December 31, 1995 and the first compliance cycle ends on December 31, 2001. As soon as one compliance period or compliance cycle ends, a new one begins.

USEPA requires routine monitoring in each compliance period, which varies in frequency, primarily by contaminant group. For asbestos, USEPA requires one sample at each entry point during the first compliance period of each compliance cycle. For nitrate, four quarterly samples are required during the first year of the first compliance period of the first compliance cycle, and one sample in each year after that. USEPA contemplates a single sample for nitrite during the first compliance period. For all other IOCs, USEPA requires one sample during each compliance period for groundwater supplies, and annual sampling for surface water and mixed supplies. For SOCs, USEPA requires four

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consecutive quarterly samples in the first compliance period, then one sample in each compliance period for supplies serving more than 3,300 persons or two for supplies serving 3,300 persons or more. For VOCs, USEPA requires four consecutive quarterly samples at each entry point in the first compliance period, then two annual samples in the second compliance period and one sample in each subsequent compliance period for groundwater supplies, or continuing annual samples beginning in the second compliance period for surface water and mixed supplies.

Significant in the monitoring scheme is the federal use of mechanisms to reduce the burden and cost of monitoring for suppliers, areas or sampling points that meet certain criteria. For example, USEPA will allow the use of existing monitoring results that generally comply with the new scheme and which was collected after certain dates, rather than requiring new results. USEPA contemplates the use of waivers that reduce the frequency of monitoring under certain circumstances for a source of water, a sampling point or an area and the enforcement authority has made specific findings. A "use" waiver is supported by a finding that a chemical has never been made, used, transported, stored, or used in the area. A "ausceptibility" waiver is based on a finding that the source or supply is not vulnerable to contamination by a chemical because of such factors as previous data, contaminant transport and persistence, source protection, etc. The waivers expire at varying times for the various chemical contaminants, but they range in duration from one compliance period to an entire compliance cycle. Some are renewable indefinitely without additional monitoring, but others are not or require reduced monitoring, depending on the variables cited.

One mechanism for reducing the burden of monitoring that the Agency does not support and the Board has not adopted is composite sampling. Under this scheme, suppliers can composite the samples from up to five distinct sampling points for a single analysis. For systems serving fewer than 3,300 persons, multiple suppliers can composite together. Otherwise only a single supplier can composite from multiple sampling points within a single system. The problems with composite sampling are that method detection limits sometimes do not allow the conclusion that all composited sampling points are below the MCL and unless such a conclusion is possible, the supplier(s) must singly repeat the sampling for each composited sampling point and analyze each sample separately. The Agency, by PC 10, has stated its support for this approach.

The detected presence of a contaminant in the water from a sampling point can trigger more frequent monitoring under the new federal scheme. This means that if the chemical contaminant is present above either the maximum contaminant level or some lower "action level", the supplier must sample that point at an increased frequency for that contaminant. The "action level" varies by contaminant or contaminant group. If the increased monitoring supports a finding by the enforcement authority that the presence of the contaminant is "reliably and consistently" below the MCL or the "action level", the supplier can return to a reduced monitoring frequency. For IOCs generally the action level is the MCL, but for nitrate and nitrite it is one-half the MCL. For VOCs and SOCs generally the action level is "detection" and the MCL, but for vinyl chloride increased monitoring if it "detects" one of seven surrogate VOCs. The increased monitoring frequency is quarterly on an ongoing basis, at least until the supplier has a specified minimal amount of data to support a "reliably and consistently" determination. Then the monitoring returns to the frequency generally required.

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The sampling for the unregulated chemical contaminants is a single round for each sampling point. The supplier must complete the monitoring for the unregulated contaminants before the end of the first compliance period (December 31, 1995). USEPA has provided for grandfathering of data on these contaminants and for waivers of the monitoring requirement.

The federal scheme specifies other aspects of monitoring as well. The rules set forth sampling and analytical protocol. They specify analytical methods and sampling points. These vary by the water source or the contaminant of interest. Some of the methods are new.

Other aspects of the Phase II regulations have prompted no action by the Board because the federal rules involved either have no substantive impact or they would not adapt well to the Illinois regulatory scheme and they are optional provisions not required of the state. Having no substantive impact are maximum contaminant level goals (MCLGs) for each of the IOCs, VOCs, and SOCs. This is the level of contaminant that USEPA considers a goal for a MCL, although in most cases the MCL actually adopted is higher. They are not required provisions, so the Board has not adopted them. An example of optional provisions not adapting well to the Illinois scheme are those USEPA made for composite sampling for chemical contaminants. The Board has similarly not adopted these.

USEPA subsequently corrected and amended the affected sections in a way that makes it desirable for the Board to use the following later federal actions in the present update period:

56 Fed. Reg. 26547	June 7, 1991
56 Fed. Reg. 30266	July 1, 1991
57 Fed. Reg. 1850	January 15, 1992
57 Fed. Reg. 22178	May 27, 1992
57 Fed. Reg. 24744	June 10, 1992

The June 7, 1991 amendments pertain to the federal lead and copper rules. They are not involved in this proceeding. Rather, they and certain of the July 1, 1991 federal Phase IIB amendments are in docket R91-15.

On July 1, 1991, at 56 Fed. Reg. 30274, USEPA promulgated the Phase IIB regulations. These amendments added a new IOC (barium) and four new SOCs (aldicarb, aldicarb sulfonate, aldicarb sulfone, and pentachlorophenol). (Those aspects are the subject of docket R91-15, not this proceeding.) They also amended the general monitoring requirements and effected several corrections to the Phase II rules. The main amendments to the monitoring requirements included updating several methods, expansion of others to include a new chemical contaminant, elimination of consumer tap sampling for VOCs, rewording some of the existing provisions, inserting an effective date of January 1, 1993 for several requirements, setting forth laboratory certification requirements for PCB analyses, and selection of seven two-carbon chlorinated compounds whose detection will trigger the need to monitor quarterly for vinyl chloride.

The Board has adopted those segments of the Phase IIB amendments that pertain to monitoring or which constitute corrections to the January 30, 1991 Phase II rules at this time. They directly affect the amendments

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under consideration from Phase II. We did not adopt the new MCLs and the requirements directly related to those five new contaminants. Those are new material not directly related to the amendments involved in the proposal for public comment.

On January 15, 1992, at 57 Fed. Reg. 1852, USEPA approved another presence-absence test for *E. coli*. Suppliers using the MMO-MUG Test (minimal medium ortho-nitrophenyl- β -D-galactopyranoside-4-methylumbelliferyl- β -D-glucuronide test) for total coliforms are now required to further test the samples for *E. coli* by transferring the coliform positive, MUG-negative culture from the MMO-MUG test to EC medium supplemented with MUG and test for fluorescence upon ultraviolet irradiation after incubation. PC 3 urges the Board to include this method in the present docket. The Agency also brought it to the Board's attention in PC 4.

On May 27, 1992, at 57 Fed. Reg. 22178, USEPA imposed a partial stay of certain of the July 1, 1991 Phase IIB regulations. USEPA stayed the MCLs for three new SOC contaminants (aldicarb, aldicarb sulfonate, and aldicarb sulfone). USEPA left the monitoring and certain of the public notice requirements for these contaminants intact. However, the Board needs to take no action based on this federal action at this time. That action will occur when we adopt the new MCLs for those chemical contaminants in docket R91-15.

Finally, on June 10, 1992, at 57 Fed. Reg. 24747, USEPA made changes to the MMO-MUG tests for total coliform and *E. coli*. Suppliers could use hepes buffer instead of phosphate buffer when using the MMO-MUG test for total coliforms. When the supplier uses the hepes buffer, it could use the total coliform test sample for detection of *E. coli*, by testing for ultraviolet fluorescence and further incubation and testing for fluorescence if total coliform positive. USEPA simultaneously made the additional testing of MMO-MUG coliform-positive samples in EC medium supplemented with MUG and optional test. PC 8 and PC 11 request that the Board include this test in this docket.

In addition to the amendments derived from federal regulatory action, this docket includes numerous corrections to the existing rules. These are corrections addressing USEPA comments submitted upon its primary review of the existing Phase I regulations adopted in R88-26, on August 9, 1990 (effective September 20, 1990).

The USEPA comments identified various deficiencies in the Illinois Phase I program. The majority of the deficiencies are in those segments of the program administered by the Department of Public Health (relating to non-community water supplies). As to those relating to the Board- and Agency-administered segments of the drinking water program, their volume is not large, and many of them are very minor. Of the 34 USEPA comments relating to the Board's rules, 16 do not require rulemaking corrections, six involve correction of typographical errors, and five are minor corrections to the language selected by the Board in its rules. The actions in response to the other seven USEPA comments require the restoration of snippets of federal language omitted by the Board in adopting R88-26 (four), the clarification of certain limitations on state authority under federal law to grant a certain type of adjusted standard without USEPA concurrence before it becomes effective (one), the deletion of references to Agency delegation of authority to units of local government (one), and correction of the edition of an analytical

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method referenced (one).

- 16) Information and questions regarding these adopted amendments shall be directed to:

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The full text of the adopted amendments begins on the next page:

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TITLE 35: ENVIRONMENTAL PROTECTION
SUBTITLE F: PUBLIC WATER SUPPLIES
CHAPTER I: POLLUTION CONTROL BOARD

PART 611

PRIMARY DRINKING WATER STANDARDS

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AUTHORITY: Implementing Sections 17 and 17.5 and authorized by Section 27 of the Environmental Protection Act (Ill. Rev. Stat. 1991, ch. 1114, pars. 1017, 1017.5 and 1027).

SOURCE: Adopted in R88-26 at 14 Ill. Reg. 16517, effective September 20, 1990; amended in R90-21 at 14 Ill. Reg. 20448, effective December 11, 1990; amended in R90-13 at 15 Ill. Reg. 1862, effective January 22, 1991; amended in

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R91-3 at 16 Ill. Reg. 19010, effective December 1, 1992.

SUBPART A: GENERAL

Section 611.101 Definitions

As used in this Part, the term:

- "Act" means the Environmental Protection Act (Ill. Rev. Stat. 1989¹, ch. 111-1/2³, par. 1001 et seq.)
- "Agency" means the Illinois Environmental Protection Agency.
- BOARD NOTE: The Department of Public Health ("Public Health") regulates non-community water supplies ("non-CWSs"), including non-transient, non-community water supplies ("non-CWSs") and transient non-community water supplies ("transient non-CWSs"). For the purposes of regulation of supplies by Public Health by reference to this Part, "Agency" shall mean Public Health.
- "AI" means "inactivation ratio".
- "Best available technology" or "BAT" means the best technology, treatment techniques or other means ~~which~~that USEPA has found are available for the contaminant in question. BAT is specified in Subpart ~~CF~~.
- BOARD NOTE: Derived from 40 CFR 141.2 (1989¹).
- "Board" means the Illinois Pollution Control Board.
- "CAS No" means "Chemical Abstracts Services Number".
- "CT" or "CT_{99.9}" is the product of "residual disinfectant concentration" (RDC or C) in mg/L determined before or at the first customer, and the corresponding "disinfectant contact time" (T) in minutes. If a supplier applies disinfectants at more than one point prior to the first customer, it shall determine the CT of each disinfectant sequence before or at the first customer to determine the total percent inactivation or "total inactivation ratio". In determining the total inactivation ratio, the supplier shall determine the RDC of each disinfection sequence and corresponding contact time before any subsequent disinfection application point(s). (See "CT_{99.9}".)
- BOARD NOTE: Derived from 40 CFR 141.2 (1989¹), ~~as amended at 54 Fed. Reg. 27526, June 29, 1989.~~
- "CT_{99.9}" is the CT value required for 99.9 percent (3-log) inactivation of *Giardia lamblia* cysts. CT_{99.9} for a variety of disinfectants and conditions appear in Tables 1-1-1.6, 2.1 and 3.1 of Section 611.101 Appendix B. (See "Inactivation Ratio".)
- BOARD NOTE: Derived from the definition of "CT" in 40 CFR 141.2 (1989¹), ~~as amended at 54 Fed. Reg. 27526, June 29, 1989.~~
- "Coagulation" means a process using coagulant chemicals and mixing by which colloidal and suspended materials are destabilized and agglomerated into flocs.
- BOARD NOTE: Derived from 40 CFR 141.2 (1989¹), ~~as amended at 54 Fed. Reg. 27526, June 29, 1989.~~

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"Community Water System" for "CWS" means a public water system (PWS) ~~which~~that serves at least 15 service connections used by year-round residents or regularly serves at least 25 year-round residents.

BOARD NOTE: Derived from 40 CFR 141.2 (1989¹). This definition differs slightly from that of Section 3.05 of the Act.

"Compliance cycle" means the nine-year calendar year cycle during which public water systems (PWSs) must monitor. Each compliance cycle consists of three three-year compliance periods. The first calendar cycle begins January 1, 1993, and ends December 31, 2001; the second begins January 1, 2002 and ends December 31, 2010; the third begins January 1, 2011, and ends December 31, 2019.

BOARD NOTE: Derived from 40 CFR 141.2 (1991).

"Compliance period" means a three-year calendar year period within a compliance cycle. Each compliance cycle has three three-year compliance periods. Within the first compliance cycle, the first compliance period runs from January 1, 1993, to December 31, 1995; the second from January 1, 1996, to December 31, 1998; the third from January 1, 1999, to December 31, 2001.

BOARD NOTE: Derived from 40 CFR 141.2 (1991).

"Confluent growth" means a continuous bacterial growth covering the entire filtration area of a membrane filter or a portion thereof, in which bacterial colonies are not discrete.

BOARD NOTE: Derived from 40 CFR 141.2 (1989¹), ~~as amended at 54 Fed. Reg. 27526, June 29, 1989.~~

"Contaminant" means any physical, chemical, biological or radiological substance or matter in water.

BOARD NOTE: Derived from 40 CFR 141.2 (1989¹).

"Conventional filtration treatment" means a series of processes including coagulation, flocculation, sedimentation and filtration resulting in substantial particulate removal.

BOARD NOTE: Derived from 40 CFR 141.2 (1989¹), ~~as amended at 54 Fed. Reg. 27526, June 29, 1989.~~

"Diatomaceous earth filtration" means a process resulting in substantial particulate removal in which:

A precoat cake of diatomaceous earth filter media is deposited on a support ~~membrane~~membrane (septum); and

While the water is filtered by passing through the cake on the septum, additional filter media known as body feed is continuously added to the feed water to maintain the permeability of the filter cake.

BOARD NOTE: Derived from 40 CFR 141.2 (1989¹), ~~as amended at 54 Fed. Reg. 27526, June 29, 1989.~~

"Direct filtration" means a series of processes including coagulation and filtration but excluding sedimentation resulting in substantial particulate removal.

BOARD NOTE: Derived from 40 CFR 141.2 (1989¹), ~~as amended at 54 Fed. Reg. 27526, June 29, 1989.~~

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"Disinfectant" means any oxidant, including but not limited to chlorine, chlorine dioxide, chloramines and ozone added to water in any part of the treatment or distribution process, that is intended to kill or inactivate pathogenic microorganisms.

BOARD NOTE: Derived from 40 CFR 141.2 (1989) ~~as amended at 54 Fed. Reg. 27526, June 29, 1989.~~

"Disinfectant contact time" ~~for "T"~~ means the time in minutes that it takes for water to move from the point of disinfectant application or the previous point of RDC measurement to a point before or at the point where RDC is measured.

Where only one RDC is measured, T is the time in minutes that it takes for water to move from the point of disinfectant application to a point before or at where RDC is measured.

Where more than one RDC is measured, T is:

For the first measurement of RDC, the time in minutes that it takes for water to move from the first or only point of disinfectant application to a point before or at the point where the first RDC is measured and

For subsequent measurements of RDC, the time in minutes that it takes for water to move from the previous RDC measurement point to the RDC measurement point for which the particular T is being calculated.

T in pipelines must be calculated based on "plug flow" by dividing the internal volume of the pipe by the maximum hourly flow rate through that pipe.

T within mixing basins and storage reservoirs must be determined by tracer studies or an equivalent demonstration.

BOARD NOTE: Derived from 40 CFR 141.2 (1989) ~~as amended at 54 Fed. Reg. 27526, June 29, 1989.~~

"Disinfection" means a process ~~which~~ that inactivates pathogenic organisms in water by chemical oxidants or equivalent agents.

BOARD NOTE: Derived from 40 CFR 141.2 (1989) ~~as amended at 54 Fed. Reg. 27526, June 29, 1989.~~

"Distribution system" includes all points downstream of an "entry point" to the point of consumer ownership.

"Domestic or other non-distribution system plumbing problem" means a coliform contamination problem in a PWS with more than one service connection that is limited to the specific service connection from which the coliform-positive sample was taken.

BOARD NOTE: Derived from 40 CFR 141.2 (1989) ~~as amended at 54 Fed. Reg. 27526, June 29, 1989.~~

"Dose equivalent" means the product of the absorbed dose from ionizing radiation and such factors as account for differences in biological effectiveness due to the type of radiation and its distribution in the body as specified by the International

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Commission on Radiological Units and Measurements (ICRU).

BOARD NOTE: Derived from 40 CFR 141.2 (1989).

"Entry point" means a point just downstream of the final treatment operation, but upstream of the first user and upstream of any mixing with other water. If raw water is used without treatment, the "entry point" is the raw water source. If a PWS receives treated water from another PWS, the "entry point" is a point just downstream of the other PWS, but upstream of the first user on the receiving PWS, and upstream of any mixing with other water.

"Filtration" means a process for removing particulate matter from water by passage through porous media.

BOARD NOTE: Derived from 40 CFR 141.2 (1989) ~~as amended at 54 Fed. Reg. 27526, June 29, 1989.~~

"Floculation" means a process to enhance agglomeration or collection of smaller floc particles into larger, more easily settleable particles through gentle stirring by hydraulic or mechanical means.

BOARD NOTE: Derived from 40 CFR 141.2 (1989) ~~as amended at 54 Fed. Reg. 27526, June 29, 1989.~~

"GC" means "gas chromatography" or "gas-liquid phase chromatography".

"GC/MS" means gas chromatography (GC) followed by mass spectrometry (MS).

"Gross alpha particle activity" means the total radioactivity due to alpha particle emission as inferred from measurements on a dry sample.

BOARD NOTE: Derived from 40 CFR 141.2 (1989).

"Gross beta particle activity" means the total radioactivity due to beta particle emission as inferred from measurements on a dry sample.

BOARD NOTE: Derived from 40 CFR 141.2 (1989).

"Groundwater under the direct influence of surface water" is as determined in Section 611.2142.

BOARD NOTE: Derived from 40 CFR 141.2 (1989) ~~as amended at 54 Fed. Reg. 27526, June 29, 1989.~~

"GWS" means "groundwater system", a public water supply (PWS) that uses only groundwater sources.

BOARD NOTE: Drawn from 40 CFR 141.23(b)(2) & 141.24(f)(2) note (1991).

"Halogen" means one of the chemical elements chlorine, bromine or iodine.

BOARD NOTE: Derived from 40 CFR 141.2 (1989).

"HPC" means "heterotrophic plate count", measured as specified in Section 611.531(c).

"Inactivation Ratio" (Ai) means:

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"MUG" means 4-methyl-umbelliferyl-beta-D-glucuronide.

"Near the first service connection" means at one of the 20 percent of all service connections in the entire system that are nearest the public water system (PWS) treatment facility, as measured by water transport time within the distribution system.
BOARD NOTE: Derived from 40 CFR 141.2 (1989) ~~7-22~~ amended at 54 Fed. Reg. 27522, June 29, 1989.

"nm" means nanometer (1/1,000,000,000th of a meter).

"Non-community water system" for "NCWS" or "non-CWS" means a public water system (PWS) ~~that is not a community water system (CWS).~~
BOARD NOTE: Derived from the definition of "public water system" in 40 CFR 141.2 (1989).

"Non-transient non-community water system" for "NTNCWS" means a public water system (PWS) that is not a community water system (CWS) and that regularly serves at least 25 of the same persons over 6 months per year.
BOARD NOTE: Derived from 40 CFR 141.2 (1989).

"NPDWR" means "national primary drinking water regulation".

"NTU" means "nephelometric turbidity units".

"Old MCL" means one of the inorganic maximum contaminant levels (MCLs), codified at Section 611.300, or organic MCLs, codified at Section 611.310, including any marked as "additional state requirements".

BOARD NOTE: Old MCLs are those derived prior to the implementation of the USEPA "Phase II" regulations. The Section 611.640 definition of this term, which applies only to Subpart O, differs from this definition in that that definition does not include the Section 611.300 inorganic MCLs.

"P-A Coliform Test" means "Presence-Absence Coliform Test".

"Performance evaluation sample" means a reference sample provided to a laboratory for the purpose of demonstrating that the laboratory can successfully analyze the sample within limits of performance specified by the Agency, or, for ~~see~~ ^{see} bacteriological laboratories, Public Health, or, for radiological laboratories, the Illinois Department of Nuclear Safety. The true value of the concentration of the reference material is unknown to the laboratory at the time of the analysis.
BOARD NOTE: Derived from 40 CFR 141.2 (1989).

"Person" means an individual, corporation, company, association, partnership, state, unit of local government or federal agency.
BOARD NOTE: Derived from 40 CFR 141.2 (1989).

"Phase I" refers to that group of chemical contaminants and the accompanying regulations promulgated by USEPA on July 8, 1987, at 52 Fed. Reg. 25712.

"Phase II" refers to that group of chemical contaminants and the

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Ai = CTe^{at}/CT99-9_{max}

The sum of the inactivation ratios, or "total inactivation ratio" (B) is calculated by adding together the inactivation ratio for each disinfection sequence:

B = SUM(Ai)

A total inactivation ratio equal to or greater than 1.0 is assumed to provide a 3-log inactivation of Giardia lamblia cysts.

BOARD NOTE: Derived from the definition of "CT" in 40 CFR 141.2 (1989) ~~7-22~~ amended at 54 Fed. Reg. 27526, June 29, 1989.

"Initial compliance period" means the three-year compliance period begins January 1, 1993.
BOARD NOTE: Derived from 40 CFR 141.2 (1991).

"L" means "liter".

"Legionella" means a genus of bacteria, some species of which have caused a type of pneumonia called Legionnaires Disease.
BOARD NOTE: Derived from 40 CFR 141.2 (1989) ~~7-22~~ amended at 54 Fed. Reg. 27526, June 29, 1989.

"Man-made beta particle and photon emitters" means all radionuclides emitting beta particles and/or photons listed in Maximum Permissible Body Burdens and Maximum Permissible Concentrations of Radionuclides in Air and in Water for Occupational Exposure, NCRP Report Number 22, incorporated by reference in Section 611.102, except the daughter products of thorium-232, uranium-235 and uranium-238.
BOARD NOTE: Derived from 40 CFR 141.2 (1989).

"Maximum contaminant level" ("MCL") See Section 611.121

BOARD NOTE: Derived from 40 CFR 141.2 (1989).

"Maximum Total Trihalomethane Potential" or "MTHP" means the maximum concentration of total trihalomethanes (TTHMs) produced in a given water containing a disinfectant residual after 7 days at a temperature of 25-deg. C or above.
BOARD NOTE: Derived from 40 CFR 141.2 (1989).

"MFL" means millions of fibers per liter larger than 10 micrometers.
BOARD NOTE: Derived from 40 CFR 141.23(a)(4)(i) (1991).

"mg" means milligrams (1/1000th of a gram).

"mg/L" means milligrams per liter.

"Mixed system" means a PWS that uses both groundwater and surface water sources.
BOARD NOTE: Drawn from 40 CFR 141.23(b)(2) and 141.24(f)(2) note (1991).

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accompanying regulations promulgated by USEPA on January 30, 1991, at 56 Fed. Reg. 3578.

"Phase IIB" refers to that group of chemical contaminants and the accompanying regulations promulgated by USEPA on July 1, 1991, at 56 Fed. Reg. 30266.

"Picrocurie" or " μpCi " means the quantity of radioactive material producing 2.22 nuclear transformations per minute.

BOARD NOTE: Derived from 40 CFR 141.2 (1989).

"Point of disinfectant application" is the point at which the disinfectant is applied and downstream of which water is not subject to recontamination by surface water runoff.

BOARD NOTE: Derived from 40 CFR 141.2 (1989), as amended at 54 Fed. Reg. 27526, June 29, 1989.

"Point-of-entry treatment device" is a treatment device applied to the drinking water entering a house or building for the purpose of reducing contaminants in the drinking water distributed throughout the house or building.

BOARD NOTE: Derived from 40 CFR 141.2 (1989).

"Point-of-use treatment device" is a treatment device applied to a single tap used for the purpose of reducing contaminants in drinking water at that one tap.

BOARD NOTE: Derived from 40 CFR 141.2 (1989).

"Public Health" means the Illinois Department of Public Health.

BOARD NOTE: The Department of Public Health ("Public Health") regulates non-community water supplies ("non-CWSs"), including non-transient, non-community water supplies ("NTNCHWSs") and transient non-community water supplies ("transient non-CWSs"). For the purposes of regulation of supplies by Public Health by reference to this Part, "Agency" shall mean Public Health.

"Public water system" for "PWS" means a system for the provision to the public of piped water for human consumption, if such system has at least fifteen service connections or regularly serves an average of at least twenty-five individuals daily at least 60 days out of the year. A PWS is either a community water system (CWS) or a non-community water system (non-CWS). Such term includes:

Any collection, treatment, storage and distribution facilities under control of the operator of such system and used primarily in connection with such system, and;

Any collection or pretreatment storage facilities not under such control which are used primarily in connection with such system.

A PWS is either a "CWS" or a "non-CWS."

BOARD NOTE: Derived from 40 CFR 141.2 (1989).

"Reliably and consistently" below a specified level for a contaminant means an Agency determination based on analytical results following the initial detection of a contaminant to

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determine the qualitative condition of water from an individual sampling point or source. The Agency shall base this determination on the consistency of analytical results, the degree below the MCL, the susceptibility of source water to variation, and other vulnerability factors pertinent to the contaminant detected that may influence the quality of water.

BOARD NOTE: Derived from 40 CFR 141.23(b)(9), 141.24(f)(1)(ii), and 141.24(f)(1)(iii) (1991).

"Rem" means the unit of dose equivalent from ionizing radiation to the total body or any internal organ or organ system. A "millirem (mrem)" is 1/1000 of a rem.

BOARD NOTE: Derived from 40 CFR 141.2 (1989).

"Repeat compliance period" means a compliance period that begins after the initial compliance period.

BOARD NOTE: Derived from 40 CFR 141.2 (1991).

"Representative" means that a sample must reflect the quality of water that is delivered to consumers under conditions when all sources required to supply water under normal conditions are in use and all treatment is properly operating.

"Residual disinfectant concentration" ("RDC" or "C" in CT calculations) means the concentration of disinfectant measured in mg/l in a representative sample of water. For purposes of the requirement of Section 611.24(d) of maintaining a detectable RDC in the distribution system, "RDC" means a residual of free or combined chlorine.

BOARD NOTE: Derived from 40 CFR 141.2 (1989), as amended at 54 Fed. Reg. 27526, June 29, 1989.

"SDWA" means the Public Health Service Act, as amended by the Safe Drinking Water Act, Pub. L. 93-523, 42 U.S.C. 300f et seq.

BOARD NOTE: Derived from 40 CFR 141.2 (1989).

"Sanitary survey" means an onsite review of the water source, facilities, equipment, operation and maintenance of a public water system (PWS) for the purpose of evaluating the adequacy of such source, facilities, equipment, operation and maintenance for producing and distributing safe drinking water.

BOARD NOTE: Derived from 40 CFR 141.2 (1989).

"Sedimentation" means a process for removal of solids before filtration by gravity or separation.

BOARD NOTE: Derived from 40 CFR 141.2 (1989), as amended at 54 Fed. Reg. 27526, June 29, 1989.

"SEP" means special exception permit (Section 611.110).

"Slow sand filtration" means a process involving passage of raw water through a bed of sand at low velocity (generally less than 0.4 meters per hour (m/h)) resulting in substantial particulate removal by physical and biological mechanisms.

BOARD NOTE: Derived from 40 CFR 141.2 (1989), as amended at 54 Fed. Reg. 27526, June 29, 1989.

"SOC" or "Synthetic organic chemical contaminant" refers to that

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group of contaminants designated as "SOCs", or "synthetic organic chemicals" or "synthetic organic contaminants", in USEPA regulatory discussions and guidance documents. "SOCs" include atrazine, carbafuran, chlordane, dibromochloroethane (ethylene dibromide or EDB), dibromochloropropane (DBCP), heptachlor, heptachlor epoxide, lindane, methoxychlor, toxaphene, polychlorinated biphenyls (PCBs), 2,4-D, and 2,4,5-TP.

"Source" means a well, reservoir, or other source of raw water.

"Standard sample" means the aliquot of finished drinking water that is examined for the presence of coliform bacteria.

BOARD NOTE: Derived from 40 CFR 141.2 (1989).

"Supplier of water" or "supplier" means any person who owns or operates a public water system (PWS). This term includes the "official custodian".

BOARD NOTE: Derived from 40 CFR 141.2 (1989).

"Surface water" means all water ~~which~~ that is open to the atmosphere and subject to surface runoff.

BOARD NOTE: Derived from 40 CFR 141.2 (1989), ~~as amended at 54 Fed. Reg. 27526, June 29, 1989.~~

"SWS" means "surface water system", a public water supply (PWS) that uses only surface water sources, including "groundwater under the direct influence of surface water".

BOARD NOTE: Drawn from 40 CFR 141.23(b)(2) and 141.24(f)(2) note (1991).

"System with a single service connection" means a system ~~which~~ that supplies drinking water to consumers via a single service line.

BOARD NOTE: Derived from 40 CFR 141.2 (1989), ~~as amended at 54 Fed. Reg. 27526, June 29, 1989.~~

"Too numerous to count" means that the total number of bacterial colonies exceeds 200 on a 47-mm diameter membrane filter used for coliform detection.

BOARD NOTE: Derived from 40 CFR 141.2 (1989), ~~as amended at 54 Fed. Reg. 27526, June 29, 1989.~~

"Total trihalomethanes" for "THM₄" means the sum of the concentration of trihalomethanes (THMs), in milligrams per liter (mg/L), rounded to two significant figures.

BOARD NOTE: Derived from the definition of "total trihalomethanes" in 40 CFR 141.2 (1989). See the definition of THMs for a listing of the four compounds that USEPA considers THMs to comprise.

"Transient, non-community water system" or "transient non-CWS" or "TNCWS" means a public water system (PWS) that is neither a community water system (CWS) nor a non-transient, noncommunity water system (NTNCWS).

BOARD NOTE: The federal regulations apply to all "public water systems", which are defined as all systems having at least 15 service connections or regularly serving water to at least 25 persons. See 42 U.S.C. §300f(4). The Act mandates that the Board and the Agency regulate "public water supplies", which it defines

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as having at least 15 service connections or regularly serving 25 persons daily at least 60 days per year. See Ill. Rev. Stat. 1991 Ch. 111, par. 1003.28. The Department of Public Health regulates transient non-community water systems.

"Treatment" means any process that changes the physical, chemical, microbiological, or radiological properties of water, is under the control of the supplier, and is not a "point of use" or "point of entry treatment device" as defined in this Section. "Treatment" includes, but is not limited to aeration, coagulation, sedimentation, filtration, activated carbon treatment, disinfection, and fluoridation.

"Trihalomethane" for "THM₄" means one of the family of organic compounds, named as derivatives of methane, in which three of the four hydrogen atoms in methane are each substituted by a halogen atom in the molecular structure. The THMs are:

Trichloromethane (chloroform),

Dibromochloromethane,

Bromodichloromethane and

Tribromomethane (bromoform)

BOARD NOTE: Derived from the definitions of "total trihalomethanes" and "trihalomethanes" in 40 CFR 141.2 (1989).

"µg" means micrograms (1/1,000,000th of a gram).

"USEPA" means the U.S. Environmental Protection Agency.

"Virus" means a virus of fecal origin ~~which~~ that is infectious to humans by waterborne transmission.

"VOC" ~~means~~or "volatile organic chemical contaminant" refers to that group of contaminants designated as "VOCs", or "volatile organic chemicals" or "volatile organic contaminants", in USEPA regulatory discussions and guidance documents. "VOCs" include benzene, tetrachloromethane (carbon tetrachloride), trichloroethylene, vinyl chloride, 1,1,1-trichloroethane (methyl chloroform), 1,1-dichloroethylene, 1,2-dichloroethane, cis-1,2-dichloroethylene, ethylbenzene, monochlorobenzene, o-dichlorobenzene, styrene, tetrachloroethylene, toluene, trans-1,2-dichloroethylene, xylene, and 1,2-dichloropropane.

BOARD NOTE: Derived from 40 CFR 141.2 (1989), ~~as amended at 54 Fed. Reg. 27526, June 29, 1989.~~

"Waterborne disease outbreak" means the significant ~~event~~ occurrence of acute infectious illness, epidemiologically associated with the ingestion of water from a public water system (PWS) ~~which~~ that is deficient in treatment, as determined by the appropriate local or State agency.

BOARD NOTE: Derived from 40 CFR 141.2 (1989), ~~as amended at 54 Fed. Reg. 27526, June 29, 1989.~~

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"Wellhead Protection Program" means the wellhead protection program for the State of Illinois, approved by USEPA under Section 1428 of the SDWA.

BOARD NOTE: Derived from 40 CFR 141.71(b) (1989), adopted at 54 Fed. Reg. 27526, June 29, 1989. The wellhead protection program will include the "groundwater protection needs assessment" under Section 17.1 of the Act, and regulations to be adopted in 35 Ill. Adm. Code 615 et seq.

(Source: Amended at 16 Ill. Reg. 19010 effective December 1, 1992

Section 611.102 Incorporations by Reference

- a) Abbreviations. The following abbreviated names are used in this Part to refer to materials incorporated by reference:

"AEP-1 Polymer" is available from Advanced Polymer Systems.

"Asbestos Methods" means "Analytical Method for Determination of Asbestos Fibers in Water", available from NTIS.

"ASTM" means American Society for Testing and Materials

"Indigo method" is as described in "Standard Methods", 17th Edition, Method 4500-O₃, B.

"Inductively Coupled Plasma Method" means "Inductively Coupled Plasma-Atomic Emission Spectrometric Method for Trace Element Analysis in Water and Wastes -- Method 200.7, with appendix" See 40 CFR 136, Appendix C.

"Inorganic Methods" means "Methods for Chemical Analysis of Water and Wastes", available from NTIS and ORD Publications.

"Microbiological Methods" means "Microbiological Methods for Monitoring the Environment, Water and Wastes", available from NTIS.

"MMO-MUG Test" means "Minimal medium ortho-nitrophenyl-beta-d-galactopyranoside-4-methyl-umbelliferyl-beta-d-glucuronide test", available from ~~Reese Analytical Systems, Inc.~~ ~~EnviroNetics, Inc.~~

"NCRP" means "National Council on Radiation Protection".

"NTIS" means "National Technical Information Service".

"Organic Methods" means "Methods for the Determination of Organic Compounds in Drinking Water", available from ~~USEPA~~ NTIS.

~~"Pesticide Methods" means "Methods for Organophosphorus pesticides and chioro-phenox Acid Herbicides in Drinking Water and Raw Source Water", available from USEPA.~~

"Radiochemical Methods" means "Interim Radiochemical Methodology for Drinking Water", available from NTIS.

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~~"SST Test Method" means "Solid Phase Extraction Test Method", available from J.T. Baker Chemical Company.~~

"Standard Methods", means "Standard Methods for the Examination of Water and Wastewater", available from the American Waterworks Association.

"Technicon Methods" means "Fluoride in Water and Wastewater", available from Technicon.

"USGS Method" means "United States Geological Survey Method"

- b) The Board incorporates the following publications by reference:

Access Analytical Systems, Inc., 21 Business Park Drive, Branford, CT 06405-800/321-0207

~~MMO-MUG test: Gellect P/A or Gellect-MPN/See~~
EnviroNetics, Inc.

ASTM. American Society for Testing and Materials, 1736 Race Street, Philadelphia, PA 19103 215/299-5585.

ASTM Method D858-88, "Standard Test Methods for Manganese in Water", approved August 19, 1988.

~~ASTM Method D993-71, "Standard Method of Test for Nitrate Ion in Water", effective October 22, 1971.~~

ASTM Method D1179-72A or B "Standard Test Methods for Fluoride in Water", approved July 28, 1972, reapproved 1978.

ASTM Method D1428-64, "Standard Test Methods for Sodium and Potassium in Water and Water-Formed Deposits by Flame Photometry", approved August 31, 1964, reapproved 1977.

~~ASTM Method D1687-72B, "Standard Test Methods for Chromium in Water", approved February 19, 1977.~~

ASTM Method D1688-84D or E, "Standard Test Methods for Copper in Water", approved November 30, 1984.

ASTM Method D1889-88a, "Standard Test Method for Turbidity of Water", approved June 24, 1988.

ASTM Method D2459-72, "Standard Test Method for Gamma Spectrometry in Water", 1975, reapproved 1981, discontinued 1988.

ASTM Method D2907-83, "Standard Test Methods for Microquantities of Uranium in Water by Fluorimetry", approved May 27, 1983.

ASTM Method D2972-78A or B, "Standard Test Methods for Arsenic in Water", ~~approved August 18, 1978.~~

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ASTM Method D3086-79, "Standard Test Methods for Organochlorine Pesticides in Water", approved November 30, 1979.

ASTM Method D3223-1986, "Standard Test Method for Total Mercury in Water", approved November 30, 1979/February 28, 1986.

ASTM Method D3479-85, "Standard Test Method for Chlorinated Phenoxyl Acid Herbicides in Water", approved November 29, 1985.

ASTM Method D3557-78A or B, "Standard Test Methods for Cadmium in Water", approved July 28, 1979.

ASTM Method D3559-78A or B, "Standard Test Methods for Lead in Water", approved July 28, 1978.

ASTM Method D3859-1988, "Standard Test Methods for Selenium in Water", approved November 30, 1979/June 24, 1988.

ASTM Method D3867-1990A or B, "Standard Test Methods for Nitrite-Nitrate in Water", approved November 30, 1979/January 10, 1990.

American Waterworks Association et al., 6666 West Quincy Ave., Denver, CO 80235 (303) 794-7711;

Standard Methods for the Examination of Water and Wastewater, 13th Edition, 1971.

Method 302, Gross Alpha and Gross Beta Radioactivity in Water (Total, Suspended and Dissolved).

Method 303, Total Radioactive Strontium and Strontium 90 in Water.

Method 304, Radium in Water by Precipitation.

Method 305, Radium 226 by Radon in Water (Soluble, Suspended and Total).

Method 306, Tritium in Water.

Standard Methods for the Examination of Water and Wastewater, 14th Edition, 1976.

Method 214A, Turbidity, Nephelometric Method -- Nephelometric Turbidity Units.

Method 301A II, Determination of Cadmium, etc. by Direct Aspiration into an Air-Acetylene Flame.

Method 301A III, Determination of Low Concentrations of Cadmium, etc. by Chelation

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with Ammonium Pyrrolidine Dithiocarbamate, and Extraction into Methyl Isobutyl Ketone.

Method 301A IV, Determination of Aluminum, etc. by Direct Aspiration into a Nitrous-Oxide Acetylene Flame.

Method 301A VI, Determination of Mercury by Gold Vapor (Flameless) Atomic Absorption.

Method 301A VII, Determination of Arsenic and Selenium by Conversion to their Hydrides and Aspiration of the Gas into the Argon-Hydrogen Flame.

Methods 320 and 320A, Sodium, Flame Photometric Method.

Method 404A, Arsenic/Silver Diethyldithiocarbamate Method.

Method 404B(4) Arsenic/ Mercury Bromide-Stain Method

Method 413D, Cyanide, Colorimetric Method.

Method 419G, Nitrogen (Nitrate), Cadmium Reduction Method (Tentative).

Method 419D, Nitrogen (Nitrate), Brucine Method (Tentative).

Method 509A, Organochlorine Pesticides (Tentative).

Method 509B, Chlorinated Phenoxyl Acid Herbicides (Tentative).

Method 605, Nitrogen (Nitrate), Cadmium Reduction Method (Tentative).

Standard Methods for the Examination of Water and Wastewater, 16th Edition, 1985.

Method 212, Temperature.

Method 214A, Turbidity, Nephelometric Method -- Nephelometric Turbidity Units.

Method 303A, Determination of Antimony, etc. by Direct Aspiration into an Air-Acetylene Flame.

Method 303B, Determination of Low Concentrations of Cadmium, etc. by Chelation with Ammonium Pyrrolidine Dithiocarbamate (APDC) and Extraction into Methyl Isobutyl Ketone (MIBK).

Method 303C, Determination of Aluminum, etc., by

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Direct Aspiration into a Nitrous Oxide-Acetylene Flame.

Method 303E, Determination of Arsenic and Selenium by Conversion to Their Hydrides by Sodium Borohydride Reagent and Aspiration into an Atomic Absorption Atomizer.

Method 303F, Determination of Mercury by the Cold Vapor Technique.

Method 304, Determination of Micro Quantities of Aluminum, etc. by Electrothermal Atomic Absorption Spectrometry.

Method 307A, Arsenic, Atomic Absorption Spectrophotometric Method.

Method 307B, Arsenic, Silver Diethyldithiocarbamate Method.

Method 408C, Chlorine (Residual), Amperometric Titration Method.

Method 408D, Chlorine (Residual), DPD Ferrous Titrimetric Method.

Method 408E, Chlorine (Residual), DPD Colorimetric Method.

Method 408F, Chlorine (Residual), Leuco Crystal Violet Method.

Method 410B, Chlorine Dioxide, Amperometric Method.

Method 410C, Chlorine Dioxide, DPD Method (Tentative).

Method 412D, Cyanide, Colorimetric Method.

Method 413A, Fluoride, Preliminary Distillation Step.

Method 413B, Fluoride, Electrode Method.

Method 413C, Fluoride, SPADNS Method.

Method 413E, Fluoride, Complexone Method.

Method 418C, Nitrogen (Nitrate), Cadmium Reduction Method.

Method 418F, Nitrogen (Nitrate), Automated Cadmium Reduction Method.

Method 423, pH Value.

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Method 907A, Pour Plate Method.

Method 908, Multiple Tube Fermentation Technique for Members of the Coliform Group.

Method 908A, Standard Coliform Multiple-Tube (MPN) Tests.

Method 908B, Application of Tests to Routine Examinations.

Method 908C, Fecal Coliform MPN Procedure.

Method 908D, Estimation of Bacterial Density.

Method 908E, Presence-Absence (P-A) Coliform Test (Tentative).

Method 909, Membrane Filter Technique for Members of the Coliform Group.

Method 909A, Standard Total Coliform Membrane Filter Procedure.

Method 909B, Delayed Incubation Total Coliform Procedure.

Method 909C, Fecal Coliform Membrane Filter Procedure.

Standard Methods for the Examination of Water and Wastewater, 17th Edition, 1989.

Method 4500-O₃, Ozone (Residual), Indigo Colorimetric Method (Proposed)

Advanced Polymer Systems, 3696 Haven Avenue, Redwood City, CA 94063 415/ 366-2626;

AEPA-1 Polymer. See 40 CFR 141.22(a). Also, as referenced in ASTM D1889.

Environetics, Inc., 21 Business Park Drive, Branford, CT 06405 800/321-0207;

MMO-MUG tests: Colilert P/A or Colilert MPN.

ERDA Health and Safety Laboratory, New York, NY;

HASL Procedure Manual, HASL 300, 1973. See 40 CFR 141.25(b)(2).

~~J. T. Baker Chemical Company, 22 Red School Lane, Phillipsburg, NJ 08865;~~

~~Solid Phase Extract (SPE) Test Method Number SPE-550. See 40 CFR 141.24(e), footnote 6.~~

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Millipore Corporation, Waters Chromatography Division, 34 Maple St., Milford, MA 01757 800/252-4752:

Waters Test Method for the Determination of Nitrite/Nitrate in Water Using Single Column Ion Chromatography, Method B-1011.

NCRP. National Council on Radiation Protection, 7910 Woodmont Ave., Bethesda, MD (301) 657-2652:

"Maximum Permissible Body Burdens and Maximum Permissible Concentrations of Radionuclides in Air and in Water for Occupational Exposure", NCRP Report Number 22, June 5, 1959.

NTIS. National Technical Information Service, 5285 Port Royal Road, Springfield, VA 22161 (703) 487-4600, or (800) 336-4700:

Analytical Method for Determination of Asbestos Fibers in Water, EPA-600/4-83-043, September, 1983, Doc. No. PB83-260471.

"Methods of for Chemical Analysis of Water and Wastes", J. Kopp and D. McGee, Third Edition, March, 1979. EPA-600/4-79-020, Doc. No. PB84-128672/297686.

"Methods for Chemical Analysis of Water and Wastes", March, 1983, Doc. No. PB84-128677, for all methods referenced except methods 180.1 (turbidity, Section 611.560) and 273.1 and 273.2 (sodium, Section 611.630).

"Methods for Chemical Analysis of Water and Wastes", March, 1979, Doc. No. PB84-128677, only for methods 180.1 (turbidity, Section 611.560) and 273.1 and 273.2 (sodium, Section 611.630).

"Methods for the Determination of Organic Compounds in Drinking Water", EPA/600/4-88/039, September, 1986, Doc. No. PB89-220461. (For the purposes of Section 611.647 only.)

"Methods for the Determination of Organic Compounds in Drinking Water", EPA/600/4-88/039, December, 1988, Doc. No. PB89-220461. (For the purposes of Sections 611.646 and 611.648 only; including Method 515.1, revision 5.0 and Method 525.1, revision 3.0 (May, 1991).)

"Microbiological Methods for Monitoring the Environment: Water and Wastes", R. Bodner and J. Winter, 1978. EPA-600/8-78-017, Doc. No. PB290-329/LP.

"Procedures for Radiochemical Analysis of Nuclear Reactor Aqueous Solutions", H.L. Krieger and S. Gold, EPA-R4-73-014, May, 1973, Doc. No. PB222-154/7BA.

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ORD Publications, CERL, EPA, Cincinnati, OH 45268:

"Methods for Chemical Analysis of Water and Wastes", March, 1983, (EPA-600/4-79-020), for all methods referenced except methods 180.1 (turbidity, Section 611.560) and 273.1 and 273.2 (sodium, Section 611.630).

"Methods for Chemical Analysis of Water and Wastes", March, 1979, (EPA-600/4-79-020), only for methods 180.1 (turbidity, Section 611.560) and 273.1 and 273.2 (sodium, Section 611.630).

Orion Research, Inc., 529 Main St., Boston, MA 02129 800/225-1480:

Orion Guide to Water and Wastewater Analysis, Form WAWWG/5880, p. 5.

Technicon Industrial Systems, Tarrytown, NY 10591:

"Fluoride in Water and Wastewater", Industrial Method #129-71W, December, 1972 See 40 CFR 141.23(f)(10), footnotes 6 and 7.

"Fluoride in Water and Wastewater", #380-75WE, February, 1976. See 40 CFR 141.23(f)(10), footnotes 6 and 7.

United States Environmental Protection Agency, (402)-382-4359/MSL, EPA, Cincinnati, OH 45268:

"The Analysis of Trihalomethanes in Drinking Waters by the Purge and Trap Method", Method 501.1. See 40 CFR 141, Subpart C, Appendix C.

"The Analysis of Trihalomethanes in Drinking Water by Liquid/Liquid Extraction," Method 501.2. See 40 CFR 141, Subpart C, Appendix C.

"Inductively Coupled Plasma-Atomic Emission Spectrometric Method for Trace Element Analysis in Water and Wastes -- Method 200.7, with Appendix to Method 200.7" entitled, "Inductively Coupled Plasma-Atomic Emission Analysis of Drinking Water" (Appendix 200.7A), March 1987 (EPA/600/4-91/010). See 40 CFR 136, Appendix C.

"Interim Radiochemical Methodology for Drinking Water", EPA-600/4-75-008 (Revised) March, 1976.

"Methods for the Determination of Organic Compounds in Drinking Water", EPA/600/4-88/039, December, 1988. See NTIS.

"Methods for Organochlorine Pesticides and Chlorophenyl Acid Herbicides in Drinking Water and Raw Source Water"

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"Methods of for Chemical Analysis of Water and Wastes". See NTIS and ORD Publications.

Microbiological Methods for Monitoring the Environment, Water and Wastes". See NTIS

"Procedures for Radiochemical Analysis of Nuclear Reactor Aqueous Solutions". See NTIS.

United States Environmental Protection Agency, Science and Technology Branch, Criteria and Standards Division, Office of Drinking Water, Washington D.C. 20460;

"Guidance Manual for Compliance with the Filtration and Disinfection Requirements for Public Water Systems using Surface Water Sources", October, 1989.

USGS. United States Geological Survey, 1961 Stout St., Denver, CO 80294 303/844-4169.

Techniques of Water-Resources Investigation of the United States Geological Survey:

Book 5, Chapter A-1, "Methods for Determination of Inorganic Substances in Water and Fluvial Sediments", Open-File Report 85-495, 19789.

Book 5, Chapter A-3, "Methods for Analysis of Organic Substances in Water," 1971.

- c) The Board incorporates the following federal regulations by reference:

40 CFR 136, Appendix B and C (1989).

40 CFR 141.22(a) (1989).

40 CFR 141.23(f)(10), footnotes 6 and 7 (1989).

40 CFR 141.24(e), footnote 6 (1989).

40 CFR 141.25(b)(2) (1989).

40 CFR 141, Subpart C, Appendix C (1989).

40 CFR 142, Subpart G (1991).

- d) This Part incorporates no future amendments or editions.

(Source: Amended at 16 Ill. Reg. 19010, effective December 1, 1992.

Section 611.110 Special Exception Permits

- a) Unless otherwise specified, each Agency determination in this Part is to be made by way of a written permit pursuant to Section 39(a) of the Act. Such permit is titled a "special exception" permit ("SEP").

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- b) No person shall cause or allow the violation of any condition of a special exception permit SEP.

- c) The supplier may appeal the denial of or the conditions of a special exception permit SEP to the Board pursuant to Section 40 of the Act.

- d) A SEP may be initiated either:

- 1) By an application filed by the supplier; or
- 2) By the Agency, when authorized by Board regulations.

BOARD NOTE: The Board does not intend to mandate by any provision of this Part that the Agency exercise its discretion and initiate a SEP pursuant to subsection (d)(2). Rather, the Board intends to clarify by this subsection that the Agency may opt to initiate a SEP without receiving a request from the supplier.

- e) The Agency shall evaluate a request for a SEP from the monitoring requirements of Section 611.646(e) and (f) (Phase I VOCs and Phase II VOCs), Section 611.648(a) (for Phase II VOCs) and Section 611.510(a) (for unregulated organic contaminants) on the basis of knowledge of previous use (including transport, storage, or disposal) of the contaminant in the watershed or zone of influence of the system, as determined pursuant to 35 Ill. Adm. Code 671:

- 1) If the Agency determines that there was no prior use of the contaminant, it shall grant the SEP, or
- 2) If the contaminant was previously used or the previous use was unknown, the Agency shall consider the following factors:

- A) Previous analytical results;

- B) The proximity of the system to any possible point source of contamination (including spills or leaks at or near a water treatment facility; at manufacturing, distribution, or storage facilities; from hazardous and municipal waste landfills; or from waste handling or treatment facilities) or non-point source of contamination (including the use of pesticides and other land application uses of the contaminant);

- C) The environmental persistence and transport of the contaminant;

- D) How well the water source is protected against contamination, including whether it is a SWS or a GWS:

- i) A GWS must consider well depth, soil type, and well casing integrity, and

- ii) A SWS must consider watershed protection; and

- E) For Phase II VOCs and unregulated organic contaminants

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(pursuant to Section 611.631 or 611.648):

- i) Elevated nitrate levels at the water source; and
- ii) The use of PCBs in equipment used in the production, storage, or distribution of water (including pumps, transformers, etc.); and
- F) For Phase I VOCs and Phase II VOCs (pursuant to Section 611.646): the number of persons served by the PWS and the proximity of a smaller system to a larger one.

BOARD NOTE: Subsection (e) derived from 40 CFR 141.24(f)(8) and (h)(6) (1991).

(Source: Amended at 16 Ill. Reg. 19010, effective December 1, 1991.

Section 611.111 Section 1415 Variances

This Section is intended as a State equivalent of Section 1415(a)(1)(A) of the SDWA.

- a) The Board may grant a supplier a variance from a NPDR in this Part.
 - 1) The supplier shall file a variance petition pursuant to 35 Ill. Adm. Code 104, except as modified or superseded by this Section.
 - 2) The Board may grant a variance from the additional State requirements in this Part without following this Section.
- b) As part of the showing of arbitrary or unreasonable hardship, the supplier shall demonstrate that:
 - 1) Because of characteristics of the raw water sources which are reasonably available to the system, the supplier cannot meet the MCL or other requirement; and
 - 2) The system has applied BAT as identified in Subpart G. BAT may vary depending on:
 - A) The number of persons served by the system;
 - B) Physical conditions related to engineering feasibility; and
 - C) Costs of compliance; and
 - 3) The variance will not result in an unreasonable risk to health, as defined in subsection (g).
- c) The Board will prescribe a schedule for:
 - 1) Compliance, including increments of progress, by the supplier, with each MCL or other requirement with respect to which the variance was granted, and

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- 2) Implementation by the supplier of each additional control measure for each MCL or other requirement, during the period ending on the date compliance with such requirement is required.

- d) A schedule of compliance will require compliance with each MCL or other requirement with respect to which the variance was granted as expeditiously as practicable.

- e) The Board will provide notice and opportunity for a public hearing as provided in 35 Ill. Adm. Code 104.

- f) The Board will not grant a variance:
 - 1) ~~From~~ the MCL for total coliforms; provided, however, that the Board may grant a variance from the total coliform MCL of Section 611.325 for PWSs that demonstrate that the violation of the total coliform MCL is due to persistent growth of total coliforms in the distribution system, rather than from fecal or pathogenic contamination, from a treatment lapse or deficiency, or from a problem in the operation or maintenance of the distribution system.
 - 2) Or, ~~or~~ from any of the treatment technique requirements of Subpart B.

- g) As used in this Section and Section 611.112, "unreasonable risk to health level" ("URTH level"), means the concentration of a contaminant ~~which~~ that will cause a serious health effect within the period of time specified in the variance or exemption requested by a supplier seeking to come into compliance by installing the treatment required to reduce the contaminant to the MCL. URTH level determinations are made on the basis of the individual contaminant, taking into account: the degree by which the level exceeds the MCL; duration of exposure; historical data; and population exposed. A risk to health is assumed to be unreasonable unless the supplier demonstrates that there are costs involved ~~which~~ that clearly exceed the health benefits to be derived.

BOARD NOTE: Derived from 40 CFR 141.4 (1989) ~~as amended at 54 Fed. Reg. 27562, June 29, 1989, from Section 1415(a)(1)(A) of the SDWA and from the "Guidance Manual for Compliance with the Filtration and Disinfection Requirements for Public Water Systems using Surface Water Sources", incorporated by reference in Section 611.102.~~

(Source: Amended at 16 Ill. Reg. 19010, effective December 1, 1991.

Section 611.112 Section 1416 Variances

This Section is intended as a State equivalent of Section 1416 of the SDWA.

- a) The Board may grant a supplier a variance from any requirement respecting an MCL or treatment technique requirement of an NPDR in this Part.
 - 1) The supplier shall file a variance petition pursuant to 35

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- Ill. Adm. Code 104, except as modified or supplemented by this Section.
- 2) The Board may grant a variance from the additional State requirements in this Part without following this Section.
 - b) As part of the showing of arbitrary or unreasonable hardship, the supplier shall demonstrate that:
 - 1) Due to compelling factors (which may include economic factors), the supplier is unable to comply with the MCL or treatment technique requirement;
 - 2) The supplier was:
 - A) In operation on the effective date of the MCL or treatment technique requirement; or
 - B) Not in operation on the effective date of the MCL or treatment technique requirement and no reasonable alternative source of drinking water is available to the supplier; and
 - 3) The variance will not result in an unreasonable risk to health.
 - c) The Board will prescribe a schedule for:
 - 1) Compliance, including increments of progress, by the supplier, with each MCL and treatment technique requirement with respect to which the variance was granted; and
 - 2) Implementation by the supplier, during the period ending on the date when compliance is required, of each additional control measure for each contaminant, subject to the MCL or treatment technique requirement, during the period ending on the date compliance with such requirement is required.
 - d) A schedule of compliance will require compliance with each MCL or other requirement with respect to which the variance was granted as expeditiously as practicable; but no schedule shall extend more than 12 months after the date of the variance, except as follows:
 - 1) The Board may extend the date for a period not to exceed three years beyond the date of the variance if the supplier establishes: that it is taking all practicable steps to meet the standard; and:
 - A) The supplier cannot meet the standard without capital improvements ~~which~~ cannot be completed within 12 months;
 - B) In the case of a supplier ~~which~~ that needs financial assistance for the necessary improvements, the supplier has entered into an agreement to obtain such financial assistance; or
 - C) The supplier has entered into an enforceable agreement

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- to become a part of a regional PWS; and
- 2) In the case of a PWS with 500 or fewer service connections ~~and which~~ that needs financial assistance for the necessary improvements, a variance under subsections (d)(1)(A) or (d)(1)(B) may be renewed for one or more additional two year periods if the supplier establishes that it is taking all practicable steps to meet the final date for compliance.
 - e) The Board will provide notice and opportunity for a public hearing as provided in 35 Ill. Adm. Code 104.
 - f) The Agency shall promptly send USEPA the Opinion and Order of the Board granting a variance pursuant to this Section. The Board may reconsider and modify a grant of variance, or variance conditions, if USEPA notifies the Board of a finding pursuant to Section 1416 of the SDWA.
- BOARD NOTE: Derived from Section 1416 of the SDWA.
- g) The Board will not grant a variance:
 - 1) ~~From~~ the MCL for total coliforms; provided, however, that the Board may grant a variance from the total coliform MCL of Section 611.325 for PWSs that demonstrate that the violation of the total coliform MCL is due to persistent growth of total coliforms in the distribution system, rather than from fecal or pathogenic contamination, from a treatment lapse or deficiency, or from a problem in the operation or maintenance of the distribution system.
 - 2) ~~ex-~~ From any of the treatment technique requirements of Subpart B.
 - 3) From the residual disinfectant concentration (RDC) requirements of Sections 611.241(c) and 611.242(b).
- BOARD NOTE: Derived from 40 CFR 141.4 (1989) ~~as amended at 54 Fed. Reg. 27562, June 29, 1989.~~
- (Source: Amended at 16 Ill. Reg. 19010, effective December 1, 1992.
- Section 611.113 Alternative Treatment Techniques
- This Section is intended to be equivalent to Section 1415(a)(3) of the SDWA.
- a) Pursuant to this Section, the Board may grant an adjusted standard from a treatment technique requirement.
 - b) The supplier seeking an adjusted standard shall file a petition pursuant to 35 Ill. Adm. Code 106 Subpart G.
 - c) As justification the supplier shall demonstrate that an alternative treatment technique is at least as effective in lowering the level of the contaminant with respect to which the treatment technique requirement was prescribed.
 - d) As a condition of any adjusted standard, the Board will require

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the use of the alternative treatment technique.

- e) The Board will grant adjusted standards for alternative treatment techniques subject to the following conditions:

- 1) All adjusted standards shall be subject to the limitations of 40 CFR 142, Subpart G, incorporated by reference in Section 611.102, and
- 2) All adjusted standards shall be subject to review and approval by USEPA pursuant to 40 CFR 142.46 before they become effective.

BOARD NOTE: Derived from Section 1415(a)(3) of the SDWA.

(Source: Amended at 16 Ill. Reg. 19010, effective December 1, 1992)

Section 611.121 Maximum Contaminant Levels and Finished Water Quality

- a) Maximum Contaminant Levels: No person shall cause or allow water that is delivered to any user at a specified measurement point to exceed the MCL for any contaminant.

- b) ~~Measurement point: Except as otherwise provided, samples for determining compliance with an MCL must be taken at the following points:~~

- 1) ~~For turbidity, at the point of entry to the distribution system~~
- 2) ~~For other contaminants, at the free flowing outlet of the ultimate user of a PWS~~

b) Finished Water Quality:

- 1) The finished water delivered to any user at any point in the distribution system shall contain no impurity at a concentration that may be hazardous to the health of the consumer or that would be excessively corrosive or otherwise deleterious to the water supply. Drinking water delivered to any user at any point in the distribution system shall contain no impurity that could reasonably be expected to cause offense to the sense of sight, taste, or smell.

- 2) No substance used in treatment should remain in the water at a concentration greater than that required by good practice. A substance that may have a deleterious physiological effect, or one for which physiological effects are not known, shall not be used in a manner that would permit it to reach the consumer.

- e) ~~there is no violation of the MCL for contaminants added to the water under circumstances controlled by the user, except those resulting from corrosion of piping and plumbing caused by water quality.~~

- c) A MCL for a particular contaminant shall apply in lieu of any finished water quality narrative standard.

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BOARD NOTE: Derived from the definition of "MCL" in 40 CFR 141.2 (19891) and former 35 Ill. Adm. Code 604.201, repealed in R88-261 at 14 Ill. Reg. 16433, effective September 20, 1990.

(Source: Amended at 16 Ill. Reg. 19010, effective December 1, 1992)

SUBPART B: FILTRATION AND DISINFECTION

Section 611.220 General Requirements

- a) The requirements of this Subpart constitute NPDRs. This Subpart establishes criteria under which filtration is required as a treatment technique for PWSs supplied by a surface water source and PWSs supplied by a groundwater source under the direct influence of surface water. In addition, these regulations establish treatment technique requirements in lieu of MCLs for the following contaminants: Giardia lamblia, viruses, HPC bacteria, Legionella and turbidity. Each supplier with a surface water source or a groundwater source under the direct influence of surface water shall provide treatment of that source water that complies with these treatment technique requirements. The treatment technique requirements consist of installing and properly operating water treatment processes which reliably achieve:

- 1) At least 99.9 percent (3-log) removal or inactivation of Giardia lamblia cysts between a point where the raw water is not subject to recontamination by surface water runoff and a point downstream before or at the first customer; and
- 2) At least 99.99 percent (4-log) removal or inactivation of viruses between a point where the raw water is not subject to recontamination by surface water runoff and a point downstream before or at the first customer.

- b) A supplier using a surface water source or a groundwater source under the direct influence of surface water is considered to be in compliance with the requirements of subsection (a) if:

- 1) It meets the requirements for avoiding filtration in Sections 611.230 through 611.232 and the disinfection requirements in Section 611.241; or

- 2) It meets the filtration requirements in Section 611.230 and the disinfection requirements in Section 611.232.

- c) Each supplier using a surface water source or a groundwater source under the direct influence of surface water shall have a certified operator pursuant to 35 Ill. Adm. Code 603.103 and Ill. Rev. Stat. 19891, ch. 111-1/23, par. 501 et seq.

BOARD NOTE: Derived from 40 CFR 141.70 (19891) as amended at 54 Fed. Reg. 27526, June 29, 1989.

(Source: Amended at 16 Ill. Reg. 19010, effective December 1, 1992)

Section 611.232 Site-specific Conditions

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The Agency shall consider the following site specific criteria in determining whether to require filtration pursuant to Section 611.211:

- a) Disinfection.
 - 1) The supplier shall meet the requirements of Section 611.241(a) at least 11 of the 12 previous months that the system served water to the public, on an ongoing basis, unless the system fails to meet the requirements during 2 of the 12 previous months that the system served water to the public, and the Agency determines that at least one of these failures was caused by circumstances that were unusual and unpredictable.
 - 2) The supplier shall meet the following requirements at the times specified for each:
 - A) The requirements of Section 611.241(b)(1), at all times the system serves water to the public; and
 - B) The requirements of Section 611.241(b)(2) at all times the system serves water to the public, unless the Agency determines that any such failure was caused by circumstances that were unusual and unpredictable.
 - 3) The supplier shall meet the requirements of Section 611.241(c) at all times the system serves water to the public unless the Agency determines that any such failure was caused by circumstances that were unusual and unpredictable.
 - 4) The supplier shall meet the requirements of Section 611.241(d) on an ongoing basis unless the Agency determines that failure to meet these requirements was not caused by a deficiency in treatment of the source water.

- b) Watershed control program. The supplier shall maintain a watershed control program which minimizes the potential for contamination by Giardia lamblia cysts and viruses in the source water. The Agency shall determine whether the watershed control program is adequate to meet this goal. The Agency shall determine the adequacy of a watershed control program based on:
 - 1) The comprehensiveness of the watershed review;
 - 2) The effectiveness of the system's program to monitor and control detrimental activities occurring in the watershed; and
 - 3) The extent to which the water system has maximized land ownership or controlled land use within the watershed. At a minimum, the watershed control program must:
 - A) Characterize the watershed hydrology and land ownership;
 - B) Identify watershed characteristics and activities which may have an adverse effect on source water

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quality; and

c) Monitor the occurrence of activities which may have an adverse effect on source water quality.

- 4) The supplier shall demonstrate through ownership or written agreements with landowners within the watershed that it can control all human activities which may have an adverse impact on the microbiological quality of the source water. The supplier shall submit an annual report to the Agency that identifies any special concerns about the watershed and how they are being handled; describes activities in the watershed that affect water quality; and projects what adverse activities are expected to occur in the future and describes how the supplier expects to address them. For systems using a groundwater source under the direct influence of surface water, an approved wellhead protection program may be used, if appropriate, to meet these requirements.
- c) On-site inspection. The supplier shall be subject to an annual on-site inspection to assess the watershed control program and disinfection treatment process. ~~Either the Agency or a unit of local government delegated pursuant to Section 611-108 shall conduct the inspection.~~ A report of the on-site inspection summarizing all findings must be prepared every year. The on-site inspection must demonstrate that the watershed control program and disinfection treatment process are adequately designed and maintained. The on-site inspection must include:
 - 1) A review of the effectiveness of the watershed control program;
 - 2) A review of the physical condition of the source intake and how well it is protected;
 - 3) A review of the system's equipment maintenance program to ensure there is low probability for failure of the disinfection process;
 - 4) An inspection of the disinfection equipment for physical deterioration;
 - 5) A review of operating procedures;
 - 6) A review of data records to ensure that all required tests are being conducted and recorded and disinfection is effectively practiced; and
 - 7) Identification of any improvements which are needed in the equipment, system maintenance and operation or data collection.
- d) Absence of waterborne disease outbreaks. The PWS must not have been identified as a source of a waterborne disease outbreak, or if it has been so identified, the system must have been modified sufficiently to prevent another such occurrence.

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e) Total Coliform MCL. The supplier shall comply with the MCL for total coliforms in Section 611.325 at least 11 months of the 12 previous months that the system served water to the public, on an ongoing basis, unless the Agency determines that failure to meet this requirement was not caused by a deficiency in treatment of the source water.

f) TTHM MCL. The supplier shall comply with the MCL for TTHM in Section 611.310.

BOARD NOTE: Derived from 40 CFR 141.71(b) (1989), ~~as amended by 54 Fed. Reg. 27526, June 29, 1989.~~

(Source: Amended at 16 Ill. Reg. 19010, effective December 1, 1992)

Section 611.241 Unfiltered PWSs

Each supplier that does not provide filtration treatment shall provide disinfection treatment as follows:

a) The disinfection treatment must be sufficient to ensure at least 99.9 percent (3-log) inactivation of *Giardia lamblia* cysts and 99.99 percent (4-log) inactivation of viruses, every day the system serves water to the public, except any one day each month. Each day a system serves water to the public, the supplier shall calculate the CT_{99.9} value(s) from the system's treatment parameters using the procedure specified in Section 611.532(c) and determine whether this value(s) is sufficient to achieve the specified inactivation rates for *Giardia lamblia* cysts and viruses.

1) If a system uses a disinfectant other than chlorine, the system may demonstrate to the Agency, through the use of an Agency-approved protocol for on-site disinfection challenge studies or other information, that CT_{99.9} values other than those specified in Section 611.532(c) are adequate to demonstrate that the system is achieving minimum inactivation rates required by this subsection.

2) The demonstration must be made by way of special exception permit application.

b) The disinfection system must have either:

- 1) Redundant components, including an auxiliary power supply with automatic start-up and alarm to ensure that disinfectant application is maintained continuously while water is being delivered to the distribution system; or
- 2) Automatic shut-off of delivery of water to the distribution system whenever there is less than 0.2 mg/L of RDC in the water. If the Agency determines, by special exception permit, that automatic shut-off would cause unreasonable risk to health or interfere with fire protection, the system shall comply with subsection (b)(1).

c) The RDC in the water entering the distribution system, measured as specified in Section 611.531(e) and 611.532(e), cannot be less

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than 0.2 mg/L for more than 4 hours.

d) RDC in the distribution system.

- 1) The RDC in the distribution system, measured as total chlorine, combined chlorine or chlorine dioxide, as specified in Section 611.531(e) and 611.532(e), cannot be undetectable in more than 5 percent of the samples each month for any two consecutive months that the system serves water to the public. Water in the distribution system with HPC less than or equal to 500/ml, measured as specified in Section 611.531(c), is deemed to have a detectable RDC for purposes of determining compliance with this requirement. Thus, the value "v" in the following formula cannot exceed 5 percent in one month, for any two consecutive months.

$$V = 100(c + d + e) / (a + b)$$

where:

a = Number of instances where the RDC is measured.

b = Number of instances where the RDC is not measured, but HPC is measured.

c = Number of instances where the RDC is measured but not detected and no HPC is measured.

d = Number of instances where the RDC is measured but not detected, and where the HPC is greater than 500/ml. And,

e = Number of instances where the RDC is not measured and HPC is greater than 500/ml.

- 2) Subsection (d)(1) does not apply if the Agency determines, pursuant to Section 611.213, that a supplier has no means for having a sample analyzed for HPC.

BOARD NOTE: Derived from 40 CFR 141.72(a) (1989), ~~as amended by 54 Fed. Reg. 27526, June 29, 1989.~~

(Source: Amended at 16 Ill. Reg. 19010, effective December 1, 1992)

Section 611.250 Filtration

A supplier that uses a surface water source or a groundwater source under the direct influence of surface water, and does not meet all of the criteria in Section 611.231 and 611.232 for avoiding filtration, shall provide treatment consisting of both disinfection, as specified in Section 611.242, and filtration treatment which complies with the requirements of subsection (a), (b), (c), (d) or (e) by June 29, 1993, or within 18 months of the failure to meet any one of the criteria for avoiding filtration in Section 611.231 and 611.232, whichever is later. Failure to meet any requirement after the date specified in this introductory paragraph is a treatment technique violation.

a) Conventional filtration treatment or direct filtration.

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- 1) For systems using conventional filtration or direct filtration, the turbidity level of representative samples of a system's filtered water must be less than or equal to 0.5 NTU in at least 95 percent of the measurements taken each month, except that, if the Agency determines, by special exception permit, that the system is capable of achieving at least 99.9 percent removal or inactivation of Giardia lamblia cysts at some turbidity level higher than 0.5 NTU in at least 95 percent of the measurements taken each month, the Agency shall substitute this higher turbidity limit for that system. However, in no case shall the Agency approve a turbidity limit that allows more than 1 NTU in more than 5 percent of the samples taken each month.
- 2) The turbidity level of representative samples of a system's filtered water must at no time exceed 5 NTU.
- b) Slow sand filtration.
 - 1) For systems using slow sand filtration, the turbidity level of representative samples of a system's filtered water must be less than or equal to 1 NTU in at least 95 percent of the measurements taken each month, except that if the Agency determines, by special exception permit, that there is no significant interference with disinfection at a higher level, the Agency shall substitute the higher turbidity limit for that system.
 - 2) The turbidity level of representative samples of a system's filtered water must at no time exceed 5 NTU.
- c) Diatomaceous earth filtration.
 - 1) For systems using diatomaceous earth filtration, the turbidity level of representative samples of a system's filtered water must be less than or equal to 1 NTU in at least 95 percent of the measurements taken each month.
 - 2) The turbidity level of representative samples of a system's filtered water must at no time exceed 5 NTU.
- d) Other filtration technologies. A supplier may use a filtration technology not listed in subsections (a) through (c) if it demonstrates, by special exception permit application, to the Agency, using pilot plant studies or other means, that the alternative filtration technology, in combination with disinfection treatment that meets the requirements of Section 611.242, consistently achieves 99.9 percent removal or inactivation of Giardia lamblia cysts and 99.99 percent removal or inactivation of viruses. For a system that makes this demonstration, the requirements of subsection (b) apply.
- e) Turbidity is measured as specified in Sections 611.531(d) and 611.533(a).

BOARD NOTE: Derived from 40 CFR 141.73 (1989), 7--ee amended at 54 Fed. Reg. 27526, June 29, 1989.

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(Source: Amended at 16 Ill. Reg. 19010, effective December 1, 1992.)

SUBPART D: TREATMENT TECHNIQUES

Section 611.225 General Requirements

The requirements of this Subpart constitute NPDES. This Subpart establishes treatment techniques in lieu of MCLs for specified contaminants.

BOARD NOTE: Derived from 40 CFR 141.110 (1991).

(Source: Added at 16 Ill. Reg. 19010, effective December 1, 1992.)

Section 611.226 Acrylamide and Epichlorohydrin

- a) Each supplier shall certify annually in writing to the Agency that when products containing acrylamide or epichlorohydrin are used in the PWS, the product of monomer level and dose does not exceed the levels specified in subsection (b). The product of monomer level and dose are computed as follows:

$$P = A \times B$$

Where:

- A = Percent by weight of unreacted monomer in the product used.
- B = Parts per million by weight of finished water at which the product is dosed.

P = Product of monomer level and dose.

- b) Maximum Product of monomer level and dose:

- 1) For acrylamide, $P = 0.05$; and
- 2) For epichlorohydrin, $P = 0.20$.

- c) Suppliers' certifications may rely on manufacturers or third parties, as approved by the Agency.

BOARD NOTE: Derived from 40 CFR 141.111 (1991).

(Source: Added at 16 Ill. Reg. 19010, effective December 1, 1992.)

SUBPART F: MAXIMUM CONTAMINANT LEVELS (MCL'S)

Section 611.300 Old MCLs for Inorganic Chemicals

- a) The old MCL for nitrate is applicable to both CWS suppliers and non-CWS suppliers except as provided by in subsection (d). The level for the other inorganic chemicals apply only to CWS suppliers. The levels for additional State requirements apply only to CWSs. Compliance with old MCLs for inorganic chemicals is calculated pursuant to Subpart H Section 611.63512. The MCLs for barium and lead shall remain effective until repealed or amended in a later rulemaking.

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BOARD NOTE: Derived from 40 CFR 141.11(a) (1989). USEPA has given an expiration date of December 7, 1992 for the MCL for lead and January 1, 1993 for barium because these are the effective dates for the federal lead and copper (56 Fed. Reg. 2460 (June 7, 1991)) and Phase IIB (56 Fed. Reg. 30266 (July 1, 1991)) rules, respectively. The Board will repeal the lead and barium MCLs, as appropriate, when the Illinois lead and copper and Phase IIB rule package becomes effective.

b) The following are the old MCL's for inorganic chemicals:

Contaminant	Level, mg/L	Additional State Requirement (*)
Arsenic	0.05	
Barium	1.	
Cadmium	0.010	
Chromium	0.05	
Copper	5.	*
Cyanide	0.2	*
Fluoride	4.0	
Iron	1.0	*
Lead	0.05	
Manganese	0.15	*
Mercury	0.003	
Nitrate (as N)	10.	
Selenium	0.01	
Silver	0.05	
Zinc	5.	*

BOARD NOTE: Derived from 40 CFR 141.11(b) and 141.62 (1989). This provision, which corresponds with 40 CFR 141.11, was formerly the only listing of MCLs for inorganic parameters. However, USEPA added another listing of inorganic MCLs at 40 CFR 141.62 at 56 Fed. Reg. 3594 (Jan. 30, 1991). Following the changing USEPA codification scheme creates two listings of MCLs: one at this Section and one at Section 611.301. This also causes fluoride to appear in both listings with the same MCL. The impact of the two listings are distinct.

c) The secondary old MCL for fluoride is 2.0 mg/L.

BOARD NOTE: Derived from 40 CFR 141.11(c) (1989).

d) Nitrate.

1) The Board incorporates by reference 40 CFR 141.11(d) (1989). This incorporation includes no later editions or amendments.

2) If allowed by Public Health, a non-CWSs may exceed the MCL for nitrate to the extent authorized by 40 CFR 141.11(d).

BOARD NOTE: Derived from 40 CFR 141.11(d) (1989). Public Health regulations may impose a nitrate limitation requirement. Those regulations are at 77 Ill. Adm. Code 900.50.

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e) The following supplementary condition applies to the concentrations listed in subsection (b): Iron and manganese:

- 1) CWS suppliers which that serve a population of 1000 or less, or 300 service connections or less, are exempt from the standards for iron and manganese.
- 2) The Agency may, by special exception permit, allow iron and manganese in excess of the MCL if sequestration tried on an experimental basis proves to be effective. If sequestration is not effective, positive iron or manganese reduction treatment as applicable must be provided. Experimental use of a sequestering agent may be tried only if approved by special exception permit.

BOARD NOTE: This is an additional State requirement.

(Source: Amended at 16 Ill. Reg. 19010, effective December 1, 1992

Section 611.301 Revised MCLs for Inorganic Chemicals

a) This subsection corresponds with 40 CFR 141.62(a), reserved by USEPA. This statement maintains structural consistency with USEPA rules.

b) The MCLs in the following table apply to CWSs. Except for fluoride, the MCLs also apply to NTNCWSs. The MCLs for nitrate, nitrite and total nitrate and nitrite also apply to transient non-CWSs.

Contaminant	MCL	Units
Fluoride	4.	mg/L
Asbestos	7.	Million fibers/L (longer than 10 micrometers)
Cadmium	0.005	mg/L
Chromium	0.1	mg/L
Mercury	0.002	mg/L
Nitrate (as N)	10.	mg/L
Nitrite (as N)	1.	mg/L
Total Nitrate and Nitrite (as N)	10.	mg/L
Selenium	0.05	mg/L

c) USEPA has identified the following as BAT for achieving compliance with the MCL for the inorganic contaminants identified in subsection (b), except for fluoride:

Contaminant	BAT(s)
Asbestos	C/F DDF CC
Barium	IX LIME RO

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<u>Cadmium</u>	<u>ED</u>
	<u>C/F</u>
	<u>IX</u>
	<u>RO</u>
<u>Chromium</u>	<u>C/F</u>
	<u>IX</u>
	<u>RO</u>
	<u>LINE, BAT for Cr(VI) only</u>
<u>Mercury</u>	<u>C/F, BAT only if influent Hg concentrations less than or equal to (s) 10 µg/L</u>
	<u>GAC</u>
	<u>LINE, BAT only if influent Hg concentrations ≤ 10 µ/L</u>
	<u>RO, BAT only if influent Hg concentrations ≤ 10 µ/L</u>
<u>Nitrate</u>	<u>IX</u>
	<u>RO</u>
	<u>ED</u>
	<u>IX</u>
<u>Nitrite</u>	<u>IX</u>
	<u>RO</u>
	<u>ED</u>
	<u>IX</u>
<u>Selenium</u>	<u>RO</u>
	<u>ED</u>
	<u>IX</u>
	<u>RO</u>

Abbreviations

<u>AA</u>	<u>Activated alumina</u>
<u>C/F</u>	<u>Coagulation/filtration</u>
<u>DDF</u>	<u>Direct and diatomite filtration</u>
<u>GAC</u>	<u>Granular activated carbon</u>
<u>IX</u>	<u>Ion exchange</u>
<u>LINE</u>	<u>Line softening</u>
<u>RO</u>	<u>Reverse osmosis</u>
<u>CC</u>	<u>Corrosion control</u>
<u>ED</u>	<u>Electrodialysis</u>

BOARD NOTE: Derived from 40 CFR 141.62 (1991).

(Source: Added at 16 Ill. Reg. 19010, effective December 1, 1992.

Section 611.310 Old MCLs for Organic Chemicals

The following are the MCLs for organic chemicals. The MCLs for organic chemicals in subsections (a) and (b) apply to all CWSs. The levels for additional state requirements apply only to CWSs. Compliance with the MCLs in subsections (a) and (b) is calculated pursuant to Section 611.641 et seq. Compliance with the MCL for TTHM is calculated pursuant to Subpart P.

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<u>Contaminant</u>	<u>Level (mg/L)</u>	<u>Additional State Requirement (*)</u>
a) Chlorinated hydrocarbons:		
Aldrin	0.001	*
Chlordane	0.003	*
DDT	0.05	*
Dieldrin	0.001	*
Endrin	0.0002	*
Heptachlor	0.0001	*
Heptachlor epoxide	0.0001	*
Lindane	0.004	*
Methoxychlor	0.1	*
Permethrin	0.005	*

BOARD NOTE: Derived from 40 CFR 141.12(a) (1991). This provision, which corresponds with 40 CFR 141.12, was formerly the only listing of MCLs for organic parameters. However, USEPA added another listing of organic MCLs at 40 CFR 141.61, at 56 Fed. Reg. 3593 (Jan. 30, 1991). The USEPA codification scheme creates two listings of MCLs: the counterpart to one of which appears at this Section and the other appears at Section 611.311. This also causes heptachlor, heptachlor epoxide, and 2,4-D to appear in both lists with a different MCL in each list. The heptachlor, heptachlor epoxide, and 2,4-D MCLs in this list are Illinois limitations that are more stringent than the federal requirements. However, detection of these contaminants or violation of their federally-derived revised MCLs imposes more stringent monitoring, reporting, and notice requirements.

b) Chlorophenoxys:

2,4-D	0.01	*
2,4,5-TP (isomer)	0.01	*

BOARD NOTE: Derived from 40 CFR 141.12(b) (1989). See the preceding Board Note regarding the dual listing of MCLs for 2,4-D.

c) TTHM

d) TTHM. CWS suppliers serving fewer than 10,000 individuals shall comply with the TTHM standard by January 1, 1993.

BOARD NOTE: Derived in part from 40 CFR 141.12(c). This is an additional state requirement to the extent it applies to supplies other than CWSs that add a disinfectant at any part of treatment and which provide water to 10,000 or more individuals.

(Source: Amended at 16 Ill. Reg. 19010, effective December 1, 1992

Section 611.311 Revised MCLs for Organic Contaminants

a) Volatile organic chemical contaminants. The following MCL levels for volatile organic chemical contaminants (VOCs) apply to CWS suppliers and NTNCWS suppliers.

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CAS No.	Contaminant	MCL (mg/L)
71-43-2	Benzene	0.005
75-01-4	Vinyl chloride	0.002
56-23-5	Carbon tetrachloride	0.005
107-06-2	1,2-Dichloroethane	0.005
79-01-6	Trichloroethylene	0.005
75-35-4	1,1-Dichloroethylene	0.007
71-55-6	1,1,1-Trichloroethane	0.20
106-46-7	para-Dichlorobenzene	0.025
71-43-2	Benzene	0.005
56-23-5	Carbon tetrachloride	0.005
95-50-1	o-Dichlorobenzene	0.6
106-46-7	p-Dichlorobenzene	0.075
107-06-2	1,2-Dichloroethane	0.005
75-35-4	1,1-Dichloroethylene	0.007
156-59-2	cis-1,2-Dichloroethylene	0.07
156-60-5	trans-1,2-Dichloroethylene	0.1
78-87-5	1,2-Dichloropropane	0.005
100-41-4	Ethylbenzene	0.7
108-90-7	Monochlorobenzene	0.1
100-42-5	Styrene	0.1
127-18-4	Tetrachloroethylene	0.005
108-88-3	Toluene	1
71-55-6	1,1,1-Trichloroethane	0.2
79-01-6	Trichloroethylene	0.005
75-01-4	Vinyl chloride	0.002
1330-20-7	Xylenes (total)	10

b) BATS for achieving compliance with the MCLs for VOCs are: central treatment using packed tower aeration; central treatment using granular activated carbon for all these chemicals except vinyl chloride; USEPA has identified, as indicated below, granular activated carbon (GAC) or packed tower aeration (PTA) as BAT for achieving compliance with the MCLs for volatile organic chemical contaminants and synthetic organic chemical contaminants in subsections (a) and (c).

15972-60-8	Alachlor	GAC
116-06-3	Aldicarb	GAC
1646-88-4	Aldicarb sulfone	GAC
1646-87-3	Aldicarb sulfoxide	GAC
1912-24-9	Atrazine	GAC
71-43-2	Benzene	GAC, PTA
1563-66-2	Carbofuran	GAC
56-23-5	Carbon tetrachloride	GAC, PTA
57-74-9	Chlordane	GAC
94-75-7	2,4-D	GAC
96-12-8	Dibromochloropropane	GAC, PTA
95-50-1	o-Dichlorobenzene	GAC, PTA
106-46-7	p-Dichlorobenzene	GAC, PTA
107-06-2	1,2-Dichloroethane	GAC, PTA
156-59-2	cis-1,2-Dichloroethylene	GAC, PTA
156-60-5	trans-1,2-Dichloroethylene	GAC, PTA
75-35-4	1,1-Dichloroethylene	GAC, PTA
78-87-5	1,2-Dichloropropane	GAC, PTA

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106-93-4	Ethylene dibromide (EDB)	GAC, PTA
100-41-4	Ethylbenzene	GAC, PTA
76-44-8	Heptachlor	GAC
1024-57-3	Heptachlor epoxide	GAC
58-89-9	Lindane	GAC
72-43-5	Methoxychlor	GAC, PTA
108-90-7	Monochlorobenzene	GAC
1336-36-3	Polychlorinated biphenyls (PCB)	GAC
87-86-5	Pentachlorophenol	GAC
100-42-5	Styrene	GAC, PTA
127-18-4	Tetrachloroethylene	GAC, PTA
71-55-6	1,1,1-Trichloroethane	GAC, PTA
79-01-6	Trichloroethylene	GAC, PTA
108-88-3	Toluene	GAC
8001-35-2	Toxaphene	GAC, PTA
93-72-1	2,4,5-TP	GAC
75-01-4	Vinyl chloride	PTA
1330-20-7	Xylene	GAC, PTA

c) Synthetic organic chemical contaminants. The following MCLs for synthetic organic chemical contaminants (SOCs) apply to CWS and NTNCS suppliers.

CAS Number	Contaminant	MCL (mg/L)
15972-60-8	Alachlor	0.002
1912-24-9	Atrazine	0.003
1563-66-2	Carbofuran	0.04
57-74-9	Chlordane	0.002
94-75-7	2,4-D	0.07
96-12-8	Dibromochloropropane	0.0002
106-93-4	Ethylene dibromide	0.0005
76-44-8	Heptachlor	0.0004
1024-57-3	Heptachlor epoxide	0.0002
58-89-9	Lindane	0.0002
72-43-5	Methoxychlor	0.04
1336-36-3	Polychlorinated biphenyls (PCBs)	0.0005
8001-35-2	Toxaphene	0.003
93-72-1	2,4,5-TP	0.05

BOARD NOTE: Derived from 40 CFR 141.61 (1989). More stringent state MCLs for 2,4-D, heptachlor, and heptachlor epoxide appear at Section 611.310. See the Board Note at that provision.

(Source: Amended at 16 Ill. Reg. 19010, effective December 1, 1992)

Section 611.320 Turbidity

This Section applies to unfiltered PWSs until December 30, 1991, unless the Agency or Public Health has determined, pursuant to Section 611.211, prior to that date that filtration is required. This Section applies to filtered systems until June 29, 1993. This Section applies to unfiltered systems that the Agency has determined, pursuant to Section 611.211, must install filtration, until June 29, 1993, or until filtration is installed, whichever is later. The MCLs for turbidity are applicable to both CWS suppliers and non-CWS suppliers using surface water sources in whole or in part. The MCLs for turbidity in drinking water, measured at a representative entry point(s) to the distribution system, are:

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- a) One turbidity unit, as determined by a monthly average pursuant to Subpart M, except that five or fewer turbidity units are allowed if the supplier demonstrates, by special exception permit application, that the higher turbidity does not do any of the following:

- 1) Interfere with disinfection;
 - 2) Prevent maintenance of an effective disinfectant agent throughout the distribution system; or
 - 3) Interfere with microbiological determinations.
- b) Five turbidity units based on an average for two consecutive days pursuant to Subpart M.

BOARD NOTE: Derived from 40 CFR 141.13 (1989), ~~as amended at 54 Fed. Reg. 27526, June 29, 1989.~~

(Source: Amended at 16 Ill. Reg. 19010, effective December 1, 1992)

SUBPART K: GENERAL MONITORING AND ANALYTICAL REQUIREMENTS

Section 611.510 Special Monitoring for Unregulated Contaminants

Monitoring of the unregulated inorganic contaminants listed in subsection (k) and the unregulated inorganic contaminants listed in subsection (l) shall be conducted as follows:

- a) Each CWS and NTNCWS supplier shall take four consecutive quarterly samples at each sampling point for each contaminant listed in subsection (k) and report the results to the Agency. Monitoring must be completed by December 31, 1995.
- b) Each CWS and NTNCWS supplier shall take one sample at each sampling point for each contaminant listed in subsection (l) and report the results to the Agency. Monitoring must be completed by December 31, 1995.
- c) Each CWS and NTNCWS supplier may apply to the Agency for a SEP pursuant to Section 611.110 that releases it from any of the requirements of subsections (a) and (b).
- d) The Agency shall grant a SEP pursuant to Section 611.110 as follows:
 - 1) From any requirement of subsection (a) based on consideration of the factors set forth at Section 611.110(e), and
 - 2) From any requirement of subsection (b) if previous analytical results indicate contamination would not occur, provided this data was collected after January 1, 1990.
- e) A GWS supplier shall take a minimum of one sample at every entry point to the distribution system that is representative of each well after treatment ("sampling point").

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- f) A SWS or mixed system supplier shall take a minimum of one sample at points in the distribution system that are representative of each source or at each entry point to the system after treatment ("sampling point").

- g) If the system draws water from more than one source and sources are combined before distribution, the supplier shall sample at an entry point during periods of normal operating conditions (when water representative of all sources is being used).

- h) The Agency may issue a SEP pursuant to Section 610.110 to require a supplier to use a confirmation sample for results that it finds dubious for whatever reason. The Agency must state its reasons for issuing the SEP if the SEP is Agency-initiated.

- i) Suppliers shall take samples at the same sampling point unless the Agency has granted a SEP allowing another sampling point because conditions make another sampling point more representative of the water from each source or treatment plant.

BOARD NOTE: Subsection (i) corresponds with duplicate segments of 40 CFR 141.40(n)(5) and (n)(6) (1991), which correspond with subsections (e) and (f). The Board has adopted no counterpart to 40 CFR 141.40(n)(9), an optional provision that pertains to composite sampling. Otherwise, the structure of this Section directly corresponds with 40 CFR 141.40(n) (1991).

- j) Instead of performing the monitoring required by this Section, a CWS and NTNCWS supplier serving fewer than 150 service connections may send a letter to the Agency stating that the PWS is available for sampling. This letter must be sent to the Agency by January 1, 1994. The supplier shall not send such samples to the Agency, unless requested to do so by the Agency.

- k) List of unregulated organic contaminants:

Contaminant	Organic Methods
Aldrin	505, 508, 525
Benzo(a)pyrene	525, 550, 550.1
Butachlor	507, 525
Carbaryl	531.1
Dalapon	515.1
Di(2-ethylhexyl)adipate	506, 525
Di(2-ethylhexyl)phthalates	506, 525
Dicamba	515.1
Dieldrin	505, 508, 525
Dinoseb	515.1
Diquat	549
Endothall	548
Glyphosate	547
Hexachlorobenzene	505, 508, 525
Hexachlorocyclopentadiene	505, 525
3-Hydroxycarbofuran	531.1
Methomyl	531.1
Metolachlor	507, 525
Metribuzin	507, 508, 525
Oxamyl (vydate)	531.1

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Picloram 515.1
Promachlor 507, 525
Simazine 505, 507, 525
2,3,7,8-TCDD (Dioxin) 513

1) List of unregulated inorganic contaminants:

Contaminant	Inorganic Methods
Antimony	Graphite Furnace Atomic Absorption; Inductively Coupled Plasma
Beryllium	Graphite Furnace Atomic Absorption; Inductively Coupled Mass Spectrometry Plasma; Spectrophotometric
Nickel	Atomic Absorption; Inductively Coupled Plasma; Graphite Furnace Atomic Absorption Colorimetric
Sulfate	Graphite Furnace Atomic Absorption; Inductively Coupled Mass Spectrometry Plasma Spectrophotometric
Thallium	
Cyanide	

BOARD NOTE: Derived from 40 CFR 141.40(n) (1991).

(Source: Added at 16 Ill. Reg. 19010 , effective December 1, 1992)

SUBPART L: MICROBIOLOGICAL MONITORING AND
ANALYTICAL REQUIREMENTS

Section 611.522 Repeat Coliform Monitoring

a) If a routine sample is total coliform-positive, the supplier shall collect a set of repeat samples within 24 hours of being notified of the positive result. A supplier which that collects more than one routine sample per month shall collect no fewer than three repeat samples for each total coliform-positive sample found. A supplier which that collects one routine sample per month or fewer shall collect no fewer than four repeat samples for each total coliform-positive sample found. The Agency shall extend the 24-hour limit on a case-by-case basis if it determines that the supplier has a logistical problem in collecting the repeat samples within 24 hours that is beyond its control. In the case of an extension, the Agency shall specify how much time the supplier has to collect the repeat samples.

b) The supplier shall collect at least one repeat sample from the sampling tap where the original total coliform-positive sample was taken, and at least one repeat sample at a tap within five service connections upstream and at least one repeat sample at a tap within five service connections downstream of the original sampling site. If a total coliform-positive sample is at the end of the distribution system, or one away from the end of the distribution system, the Agency may waive the requirement to collect at least one repeat sample upstream or downstream of the original sampling site.

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c) The supplier shall collect all repeat samples on the same day, except that the Agency shall allow a supplier with a single service connection to collect the required set of repeat samples over a four-day period or to collect a larger volume repeat sample(s) in one or more sample containers of any size, as long as the total volume collected is at least 400 ml (300 ml for PWSs) ~~which~~ that collect more than one routine sample per month).

d) If one or more repeat samples in the set is total coliform-positive, the supplier shall collect an additional set of repeat samples in the manner specified in subsections (a) through (c). The additional samples must be collected within 24 hours of being notified of the positive result, unless the Agency extends the limit as provided in subsection (a). The supplier shall repeat this process until either total coliforms are not detected in one complete set of repeat samples or the supplier determines that the MCL for total coliforms in Section 611.325 has been exceeded and notifies the Agency.

e) If a supplier collecting fewer than five routine samples/month has one or more total coliform-positive samples and the Agency does not invalidate the sample(s) under Section 611.523, the supplier shall collect at least five routine samples during the next month the supplier provides water to the public, unless the Agency determines that the conditions of subsection (e)(1) or (2) are met. This does not apply to the requirement to collect repeat samples in subsections (a) through (d). The supplier does not have to collect the samples if:

1) The Agency performs a site visit before the end of the next month the supplier provides water to the public. Although a sanitary survey need not be performed, the site visit must be sufficiently detailed to allow the Agency to determine whether additional monitoring or any corrective action is needed.

2) The Agency has determined why the sample was total coliform-positive and establishes that the supplier has corrected the problem or will correct the problem before the end of the next month the supplier serves water to the public.

A) The Agency shall document this decision in writing, and make the document available to USEPA and the public. The written documentation must describe the specific cause of the total coliform-positive sample and what action the supplier has taken or will take to correct the problem.

B) The Agency cannot waive the requirement to collect five routine samples the next month the supplier provides water to the public solely on the grounds that all repeat samples are total coliform-negative.

C) Under this subsection, a supplier shall still take at least one routine sample before the end of the next month it serves water to the public and use it to determine compliance with the MCL for total coliforms in Section 611.325, unless the Agency has determined

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that the supplier has corrected the contamination problem before the supplier took the set of repeat samples required in subsections (a) through (d), and all repeat samples were total coliform-negative.

- f) After a supplier collects a routine sample and before it learns the results of the analysis of that sample, if it collects another routine sample(s) from within five adjacent service connections of the initial sample, and the initial sample, after analysis, is found to contain total coliforms, then the supplier may count the subsequent sample(s) as a repeat sample instead of as a routine sample.

- g) Results of all routine and repeat samples not invalidated pursuant to Section 611.523 must be included in determining compliance with the MCL for total coliforms in Section 611.325.

BOARD NOTE: Derived from 40 CFR 141.21(b) (1989), ~~as amended at 54 Fed. Reg. 27562, June 29, 1989.~~

(Source: Amended at 16 Ill. Reg. 19010, effective December 1, 1992)

Section 611.523 Invalidation of Total Coliform Samples

A total coliform-positive sample invalidated under this Section does not count towards meeting the minimum monitoring requirements.

- a) The Agency shall invalidate a total coliform-positive sample only if the conditions of subsection (a)(1), ~~(a)(2)~~, or ~~(a)(3)~~ are met.

- 1) The laboratory establishes that improper sample analysis caused the total coliform-positive result.

- 2) The Agency, on the basis of the results of repeat samples collected as required by Section 611.522(a) through (d) determines that the total coliform-positive sample resulted from a domestic or other non-distribution system plumbing problem. The Agency cannot invalidate a sample on the basis of repeat sample results unless all repeat sample(s) collected at the same tap as the original total coliform-positive sample are also total coliform-positive, and all repeat samples collected within five service connections of the original tap are total coliform-negative (e.g., Agency cannot invalidate a total coliform-positive sample on the basis of repeat samples if all the repeat samples are total coliform-negative, or if the supplier has only one service connection).

- 3) The Agency determines that there are substantial grounds to believe that a total coliform-positive result is due to a circumstance or condition which does not reflect water quality in the distribution system. In this case, the supplier shall still collect all repeat samples required under Section 611.522(a) through (d) and use them to determine compliance with the MCL for total coliforms in Section 611.325. To invalidate a total coliform-positive sample under this subsection, the decision with the

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rationale for the decision must be documented in writing. The Agency shall make this document available to USEPA and the public. The written documentation must state the specific cause of the total coliform-positive sample, and what action the supplier has taken, or will take, to correct this problem. The Agency shall not invalidate a total coliform-positive sample solely on the grounds that all repeat samples are total coliform-negative.

- b) A laboratory shall invalidate a total coliform sample (unless total coliforms are detected) if the sample produces a turbid culture in the absence of gas production using an analytical method where gas formation is examined (e.g., the Multiple-Tube Fermentation Technique), produces a turbid culture in the absence of an acid reaction in the P-A Coliform Test, or exhibits confluent growth or produces colonies too numerous to count with an analytical method using a membrane filter (e.g., Membrane Filter Technique). If a laboratory invalidates a sample because of such interference, the supplier shall collect another sample from the same location as the original sample within 24 hours of being notified of the interference problem, and have it analyzed for the presence of total coliforms. The supplier shall continue to re-sample within 24 hours and have the samples analyzed until it obtains a valid result. The Agency shall waive the 24-hour time limit on a case-by-case basis, if it is not possible to collect the sample within that time.

BOARD NOTE: Derived from 40 CFR 141.21(c) (1989), ~~as amended at 54 Fed. Reg. 27562, June 29, 1989.~~

(Source: Amended at 16 Ill. Reg. 19010, effective December 1, 1992)

Section 611.526 Analytical Methodology

- a) The standard sample volume required for total coliform analysis, regardless of analytical method used, is 100 mL.

- b) Suppliers need only determine the presence or absence of total coliforms, a determination of total coliform density is not required.

- c) Suppliers shall conduct total coliform analyses in accordance with one of the following analytical methods, incorporated by reference in Section 611.102:

- 1) Multiple-Tube Fermentation (MTF) Technique, as set forth in:
 - A) Standard Methods, ~~16th Edition~~, Method 908, 908A and 908B, except that 10 fermentation tubes must be used; or
 - B) Microbiological Methods, Part III, Section B 4.1-4.6.4, pp. 114-118, (Most Probable Number Method), except that 10 fermentation tubes must be used; or
- 2) Membrane Filter (MF) Technique, as set forth in:
 - A) Standard Methods, ~~16th Edition~~, Method 909, 909A and

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909B; or

- B) Microbiological Methods, Part III, Section B.2.1-2.6, pp. 108-112; or
- 3) P-A Coliform Test, as set forth in: Standard Methods, 16th Edition, Method 908E; or
- 4) MMO-MUG test. The MMO-MUG test with hepes buffer in lieu of phosphate buffer is an acceptable minor revision.

d) In lieu of the 10-tube MTF Technique specified in subsection (c)(1), a supplier may use the MTF Technique using either five tubes (20-ml sample portions or a single culture bottle containing the culture medium for the MTF Technique, i.e., lauryl tryptose broth (formulated as described in Standard Methods, 16th Edition, Method 908A, incorporated by reference in Section 611.102) as long as a 100-ml water sample is used in the analysis.

e) Suppliers shall conduct fecal coliform analysis in accordance with the following procedure:

- 1) When the MTF Technique or P-A Coliform Test is used to test for total coliforms, shake the lactose-positive presumptive tube or P-A bottle vigorously and transfer the growth with a sterile 3-mm loop or sterile applicator stick into brilliant green lactose bile broth and EC medium, defined below, to determine the presence of total and fecal coliforms, respectively.
- 2) For Microbiological Methods, referenced above, which that use a membrane filter, transfer the total coliform-positive culture by one of the following methods: remove the membrane containing the total coliform colonies from the substrate with a sterile forceps and carefully curl and insert the membrane into a tube of EC medium. (The laboratory may first remove a small portion of selected colonies for verification); swab the entire membrane filter surface with a sterile cotton swab and transfer the inoculum to EC medium (do not leave the cotton swab in the EC medium); or inoculate individual total coliform-positive colonies into EC medium. Gently shake the inoculated EC tubes of EC medium to insure adequate mixing and incubate in a waterbath at 44.5-50.2 degrees C for 24-32 hours. Gas production of any amount in the inner fermentation tube of the EC medium indicates a positive fecal coliform test.

3) The preparation of EC medium is described in Standard Methods, 16th Edition, Method 908C.

4) Suppliers need only determine the presence or absence of fecal coliforms, a determination of fecal coliform density is not required.

f) Suppliers shall conduct analysis of E. coli in accordance with one of the following analytical methods:

- 1) EC medium supplemented with 50 µg/L of MUG (final

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concentration). EC medium is as described in subsection (e). MUG may be added to EC medium before autoclaving. EC medium supplemented with 50 µg/L MUG is commercially available. At least 10 mL of EC medium supplemented with MUG must be used. The inner inverted fermentation tube may be omitted. The procedure for transferring a total coliform-positive culture to EC medium supplemented with MUG is as in subsection (e) for transferring a total coliform-positive culture to EC medium. Observe fluorescence with an ultraviolet light (366 nm) in the dark after incubating tube at 44.5±2° C for 24±2 hours; or

2) Nutrient agar supplemented with 100 µg/L MUG (final concentration). Nutrient Agar is described in Standard Methods: Method 908C. This test is used to determine if a total coliform-positive sample, as determined by the MTF technique or any other method in which a membrane filter is used, contains E. coli. Transfer the membrane filter containing a total coliform colony or colonies to nutrient agar supplemented with 100 µg/L MUG (final concentration). After incubating the agar plate at 35° Celsius for 4 hours, observe the colony or colonies under ultraviolet light (366 nm) in the dark for fluorescence. If fluorescence is visible, E. coli are present.

3) Minimal Medium ONPG-MUG (MMO-MUG) Test, as set forth in Section 611. Appendix D. (The Autoanalysis Coli-ert System is a MMO-MUG test.) If the MMO-MUG test is total coliform positive after a 24-hour incubation, test the medium for fluorescence with a 366-nm ultraviolet light (preferably with a 6-watt lamp) in the dark. If fluorescence is observed, the sample is E. coli-positive. If fluorescence is questionable (cannot be definitively read) after 24 hours incubation, incubate the culture for an additional four hours (but not to exceed 28 hours total), and again test the medium for fluorescence. The MMO-MUG test with hepes buffer is the only approved formulation for the detection of E. coli.

g) As an option to the method set forth in subsection (f)(3), a supplier with a total coliform-positive, MUG-negative, MMO-MUG test may further analyze the culture for the presence of E. coli by transferring a 0.1 mL, 28-hour MMO-MUG culture to EC medium + MUG with a pipet. The formulation and incubation conditions of the EC medium + MUG, and observation of the results are described in subsection (f)(1).

BOARD NOTE: Derived from 40 CFR 141.21(f) (1989), as amended at 546 Fed. Reg. 24562, June 29, 1989; 546 Fed. Reg. 1852, January 15, 1992, and 57 Fed. Reg. 24747, June 10, 1992.

(Source: Amended at 16 Ill. Reg. 19010, effective December 1, 1993)

SUBPART M: TURBIDITY MONITORING AND ANALYTICAL REQUIREMENTS

Section 611.560 Turbidity

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The requirements in this Section apply to unfiltered PWSs until December 30, 1991, unless the Agency has determined prior to that date that filtration is required. The requirements in this Section apply to filtered PWSs until June 29, 1993. The requirements in this Section apply to unfiltered PWSs that the Agency has determined must install filtration, until June 29, 1993, or until filtration is installed, whichever is later.

- a) Suppliers shall take samples at representative entry point(s) to the distribution system at least once per day, for the purposes of making turbidity measurements to determine compliance with Section 611.320.
 - 1) If Public Health determines that a reduced sampling frequency in a non-CWS will not pose a risk to public health, it ~~shall~~ may reduce the required sampling frequency. The option of reducing the turbidity frequency will be permitted only in those suppliers that practice disinfection and which maintain an active RDC in the distribution system, and in those cases where Public Health has indicated in writing that no unreasonable risk to health existed under the circumstances of this option.
 - 2) The turbidity measurements must be made in accordance with the following methods, incorporated by reference in Section 611.102:
 - A) By the Nephelometric Method:
 - i) Standard Methods ~~71-16th Edition~~, Method 214A; or
 - ii) Inorganic Methods ~~71-16th Edition~~, Method 180.1.
 - B) Calibration of the turbidimeter must be made either by the use of a formazin standard as specified in the cited references, or a styrene divinylbenzene polymer standard (Amco-AEPA-1 Polymer).
- b) If the result of a turbidity analysis indicates that the maximum allowable limit has been exceeded, the sampling and measurement must be confirmed by resampling as soon as practicable and preferably within one hour. If the repeat sample confirms that the maximum allowable limit has been exceeded, the supplier of water shall report to the Agency within 48 hours. The repeat sample must be the sample used for the purpose of calculating the monthly average. If the monthly average of the daily samples exceeds the maximum allowable limit, or if the average of two samples taken on consecutive days exceeds 5 NTU, the supplier of water shall report to the Agency and notify the public as directed in Subpart T.
- c) Sampling for non-CWSs must begin by June 29, 1991.
- d) This Section applies only to suppliers ~~which~~ that use water obtained in whole or in part from surface sources.

BOARD NOTE: Derived from 40 CFR 141.22 (1989), ~~as amended at 64 Fed. Reg. 27526, June 29, 1999.~~

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(Source: Amended at 16 Ill. Reg. 19010, effective December 1, 1992)

SUBPART N: INORGANIC MONITORING AND ANALYTICAL REQUIREMENTS

Section 611.602591 Violation of State MCL

This Section applies to old MCLs ~~which~~ that are marked as "additional State requirements" at Section 611.300, and for which no specific monitoring, reporting or public notice requirements are specified below. If the results of analysis pursuant to this Part indicates that the level of any contaminant exceeds the old MCL, the CWS supplier shall:

- a) Report to the Agency within seven days, and initiate three additional analyses at the same sampling point within one month;
- b) Notify the Agency and give public notice as specified in Subpart T, when the average of four analyses, rounded to the same number of significant figures as the old MCL for the contaminant in question, exceeds the old MCL; and,
- c) Monitor, after public notification, at a frequency designated by the Agency, and continue monitoring until the old MCL has not been exceeded in two consecutive samples, or until a monitoring schedule as a condition of a variance or enforcement action becomes effective.

BOARD NOTE: This is an additional State requirement.

(Source: Renumbered from Section 611.602 and amended at 16 Ill. Reg. 19010, effective December 1, 1992.

Section 611.603592 Frequency of State Monitoring

This Section applies to old MCLs ~~which~~ that are marked as "additional State requirements" at Section 611.300, and for which no specific monitoring, reporting or public notice requirements are specified below.

- a) Analyses for all CWS suppliers utilizing surface water sources must be repeated at yearly intervals.
- b) Analyses for all CWS suppliers utilizing only groundwater sources must be repeated at three-year intervals.

BOARD NOTE: This is an additional State requirement.

(Source: Renumbered from Section 611.603 and amended at 16 Ill. Reg. 19010, effective December 1, 1992.

Section 611.600 Applicability

The following types of suppliers shall conduct monitoring to determine compliance with the old MCLs in Section 611.300 and the revised MCLs in 611.301, as appropriate, in accordance with this Subpart:

- a) CWS suppliers.
- b) NTNCWS suppliers.

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- c) Transient non-CWS suppliers to determine compliance with the nitrate and nitrite MCLs.

BOARD NOTE: Derived from 40 CFR 141.23 (preamble) (1991).

- d) Detection limits. The following are detection limits for purposes of this Subpart:

Contaminant	MCL (mg/L, except asbestos)	Method	Detection Limit (mg/L)
Asbestos	7 MFL	Transmission Electron Microscopy	0.01 MFL
Barium	2	Atomic Absorption; furnace technique	0.002
		Atomic Absorption; direct aspiration	0.1
		Inductively Coupled Plasma	0.002
		Inductively Coupled Plasma; Using concentration technique in Section 611.- Appendix A to Inorganic Method 200.7.	0.001
Cadmium	0.005	Atomic Absorption; furnace technique	0.0001
		Inductively Coupled Plasma; Using concentration technique in Appendix A to Inorganic Method 200.7.	0.001
Chromium	0.1	Atomic Absorption; furnace technique	0.001
		Inductively Coupled Plasma	0.007
		Inductively Coupled Plasma; Using concentration technique in Appendix A to Inorganic Method 200.7.	0.001
Mercury	0.002	Manual Cold Vapor Technique	0.0002
		Automated Cold Vapor Technique	0.0002
Nitrate (as N)	10	Manual Cadmium Reduction	0.01
		Automated Hydrazine Reduction	0.01

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	Automated Cadmium Reduction	0.05
	Ion Selective Electrode	1
	Ion Chromatography	0.01
	Spectrophotometric	0.01
	Automated Cadmium Reduction	0.05
	Manual Cadmium Reduction	0.01
	Ion Chromatography	0.004
	Atomic Absorption; furnace	0.002
	Atomic Absorption; gaseous hydride	0.002
Nitrite (as N)	1	
	Selenium	0.05

BOARD NOTE: Derived from 40 CFR 141.23 preamble and paragraph (a)(4)(i) (1991).

(Source: Added at 16 Ill. Reg. 19010, effective December 1, 1993)

Section 611.601 Requirements Monitoring Frequency

- a) Analytes for the purpose of determining compliance with Section 611.300 are required as follows:

1) Analytes for all CWSs utilizing surface water sources must be repeated at yearly intervals.

BOARD NOTE: This applies also to additional State requirements.

2) Analytes for all CWSs utilizing only groundwater sources must be repeated at three-year intervals.

BOARD NOTE: This applies also to additional State requirements.

3) For non-CWSs, whether supplied by surface or groundwater sources, analyses for nitrate must be repeated at intervals specified by Public Health.

b) If the result of an analysis made under subsection (a) or Section 611.607 indicates that the level of any contaminant listed in Section 611.300 exceeds the MCL, the supplier shall report to the Agency within 7 days and initiate three additional analyses at the same sampling point within one month.

BOARD NOTE: This applies also to additional State requirements.

c) When the average of four analyses made pursuant to subsection (b) rounded to the same number of significant figures as the MCL for the substance in question, exceeds the MCL, the supplier shall notify the Agency and give notice to the public pursuant to

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Subpart T. Monitoring after public notification must be at a frequency designated by the Agency and must continue until the MCL has not been exceeded in two consecutive samples or until a monitoring schedule as a condition to a variance, adjusted standard, site specific rule or enforcement action becomes effective.

BOARD NOTE: This applies also to additional State requirements.

- a) The provisions of subsections (b) and (c) notwithstanding compliance with the MCL of nitrate must be determined on the basis of the mean of two analyses. When a level exceeding the MCL for nitrate is found, a second analysis must be initiated within 24 hours, and if the mean of the two analyses exceeds the MCL, the supplier of water shall report his findings to the Agency and shall notify the public pursuant to Subpart T.

BOARD NOTE: Derived from 40 CFR 141.23(e) through (g) (1989).

Monitoring shall be conducted as follows:

a) Required sampling.

- 1) Each supplier shall take a minimum of one sample at each sampling point at the times required by Section 611.610 beginning January 1, 1993.
- 2) Each sampling point must produce samples that are representative of the water from each source after treatment or from each treatment plant, as required by subsection (b). The total number of sampling points must be representative of the water delivered to users throughout the PWS.
- 3) The supplier shall take each sample at the same sampling point unless conditions make another sampling point more representative of each source or treatment plant and the Agency has granted a SEP pursuant to subsection (b)(5).

b) Sampling points.

- 1) Sampling points for GWSs. Unless otherwise provided by SEP, a GWS supplier shall take at least one sample from each of the following points: each entry point that is representative of each well after treatment.
- 2) Sampling points for SWSs and mixed systems. Unless otherwise provided by SEP, a SWS or mixed system supplier shall take at least one sample from each of the following points:
 - A) Each entry point after the application of treatment;
or
 - B) A point in the distribution system that is representative of each source after treatment.
- 3) If a system draws water from more than one source, and the sources are combined before distribution, the supplier shall

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sample at an entry point during periods of normal operating conditions when water is representative of all sources being used.

- 4) Additional sampling points. The Agency shall, by SEP, designate additional sampling points in the distribution system or at the consumer's tap if it determines that such samples are necessary to more accurately determine consumer exposure.
- 5) Alternative sampling points. The Agency shall, by SEP, approve alternate sampling points if the supplier demonstrates that the points are more representative than the generally required point.
- c) This subsection corresponds with 40 CFR 141.23(a)(4), an optional USEPA provision relating to compositing of samples that USEPA does not require for state programs. This statement maintaining structural consistency with USEPA rules.
- d) The frequency of monitoring for the following contaminants must be in accordance with the following sections:
 - 1) Asbestos: Section 611.602;
 - 2) Barium, cadmium, chromium, fluoride, mercury and selenium: Section 611.603;
 - 3) Nitrate: Section 611.604; and
 - 4) Nitrite: Section 611.605.

BOARD NOTE: Derived from 40 CFR 141.23(a) (1991).

(Source: Renumbered to Section 611.612 and new Section 611.601 added at 16 Ill. Reg. 19010, effective December 1, 1992)

Section 611.602 Violation of State MCLs Asbestos Monitoring Frequency

This Section applies to MCLs which are marked as "Additional State requirements", and for which no specific monitoring, reporting or public notice requirements are specified below. If the results of analysis pursuant to this Part indicates that the level of any contaminant exceeds the MCL, the GWS supplier shall:

- a) Report to the Agency within seven days, and initiate three additional analyses at the same sampling point within one month;
- b) Notify the Agency and give public notice as specified in Subpart T, when the average of four analyses, rounded to the same number of significant figures as the MCL for the contaminant in question exceeds the MCL; and
- c) Monitor after public notification at a frequency designated by the Agency, and continue monitoring until the MCL has not been exceeded in two consecutive samples, or until a monitoring schedule as a condition of a variance or enforcement action becomes effective.

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~~BOARD NOTE: This is an additional state requirement.~~

The frequency of monitoring conducted to determine compliance with the MCL for asbestos in Section 611.301 is as follows:

- a) Unless the Agency has determined under subsection (c) that the PWS is not vulnerable, each CWS and NTWCWS supplier shall monitor for asbestos during the first compliance period of each compliance cycle, beginning January 1, 1993.
- b) CWS suppliers may apply to the Agency, by way of an application for a SEP under Section 611.110, for a determination that the CWS is not vulnerable based on consideration of the criteria listed in subsection (c).
- c) The Agency shall determine that the CWS is "not vulnerable" if the CWS is not vulnerable to contamination either from asbestos in its source water, from corrosion of asbestos-cement pipe, or from both, based on a consideration of the following factors:

- 1) Potential asbestos contamination of the water source; and
 - 2) The use of asbestos-cement pipe for finished water distribution and the corrosive nature of the water.
- d) A SEP based on a determination that a CWS is not vulnerable to asbestos contamination expires at the end of the compliance cycle for which it was issued.
- e) A supplier of a PWS vulnerable to asbestos contamination due solely to corrosion of asbestos-cement pipe shall take one sample at a tap served by asbestos-cement pipe and under conditions where asbestos contamination is most likely to occur.
- f) A supplier of a PWS vulnerable to asbestos contamination due solely to source water shall monitor in accordance with Section 611.601.
- g) A supplier of a PWS vulnerable to asbestos contamination due both to its source water supply and corrosion of asbestos-cement pipe shall take one sample at a tap served by asbestos-cement pipe and under conditions where asbestos contamination is most likely to occur.
- h) A supplier that exceeds the MCL, as determined in Section 611.609, shall monitor quarterly beginning in the next quarter after the violation occurred.
- i) Reduction of quarterly monitoring.
- 1) The Agency shall issue a SEP pursuant to Section 611.110 that reduces the monitoring frequency to that specified by subsection (a) if it determines that the sampling point is reliably and consistently below the MCL.
 - 2) The request must, at a minimum, include the following information:

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A) For a CWS: two quarterly samples.

- B) For an SWS or mixed system: four quarterly samples.
- 3) In issuing a SEP, the Agency shall specify the level of the contaminant upon which the "reliably and consistently" determination was based. All SEPs that allow less frequent monitoring based on an Agency "reliably and consistently" determination shall include a condition requiring the supplier to resume quarterly monitoring pursuant to subsection (h) if it violates the MCL specified by Section 611.609.

- j) If the Agency determines that data collected after January 1, 1990 are generally consistent with the requirements of this Section, it may grant a SEP pursuant to Section 611.110 that allows the supplier to use those data to satisfy the requirements of this Section for the compliance period beginning January 1, 1993.

BOARD NOTE: Derived from 40 CFR 141.23(b) (1991).

(Source: Renumbered to Section 611.591 and new Section 611.602 added at 16 Ill. Reg. 19010, effective December 1, 1993)

Section 611.603 Frequency of State Monitoring Inorganic Monitoring Frequency this Section applies to MCLs which are marked as "additional state requirements", and for which no specific monitoring, reporting or public notice requirements are specified below.

- a) Analytes for all CWS suppliers utilizing surface water sources must be repeated at yearly intervals.
- b) Analytes for all CWS suppliers utilizing only groundwater sources must be repeated at three year intervals.

BOARD NOTE: This is an additional state requirement.

The frequency of monitoring conducted to determine compliance with the revised MCLs in Section 611.301 for barium, cadmium, chromium, fluoride, mercury, and selenium is as follows:

- a) Suppliers shall take samples at each sampling point, beginning January 1, 1993, as follows:
 - 1) For CWSs: at least one sample during each compliance period;
 - 2) For SWSs and mixed systems: at least one sample each year.

BOARD NOTE: Derived from 40 CFR 141.23(c)(1) (1991).

- b) SEP Application. The supplier may apply to the Agency for a SEP that allows reduction from the monitoring frequencies specified in subsection (a) pursuant to subsections (d) through (f) and Section 611.110.

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BOARD NOTE: Drawn from 40 CFR 141.23(c)(2) and (c)(6) (1991).

- c) SEP Procedures. The Agency shall review the request pursuant to the SEP procedures of Section 611.110 based on consideration of the factors in subsection (e).

BOARD NOTE: Drawn from 40 CFR 141.23(c)(6) (1991).

- d) Standard for SEP reduction in monitoring. The Agency shall grant a SEP that allows a reduction in the monitoring frequency if the supplier demonstrates that all previous analytical results were less than the MCL, provided the supplier meets the following minimum data requirements:

- 1) For CWS suppliers: a minimum of three rounds of monitoring.
- 2) For SWS and mixed system suppliers: annual monitoring for at least three years.
- 3) At least one sample must have been taken since January 1, 1990.

BOARD NOTE: Drawn from 40 CFR 141.23(c)(4) (1991).

- e) Standard for SEP monitoring conditions. As a condition of any SEP, the Agency shall require that the supplier take a minimum of one sample during the term of the SEP. In determining the appropriate reduced monitoring frequency, the Agency shall consider:

- 1) Reported concentrations from all previous monitorings;
- 2) The degree of variation in reported concentrations; and
- 3) Other factors may affect contaminant concentrations, such as changes in groundwater pumping rates, changes in the CWS configuration, the CWS's operating procedures, or changes in stream flows or characteristics.

BOARD NOTE: Drawn from 40 CFR 141.23(c)(3) and (c)(5) (1991).

- f) SEP Conditions and Revision.

- 1) A SEP will expire at the end of the compliance cycle for which it was issued.

BOARD NOTE: Drawn from 40 CFR 141.23(c)(3) (1991).

- 2) In issuing a SEP, the Agency shall specify the level of the contaminant upon which the "reliably and consistently" determination was based. A SEP must provide that the Agency will review and, where appropriate, revise its determination of the appropriate monitoring frequency when the supplier submits new monitoring data or when other data relevant to the supplier's appropriate monitoring frequency become available.

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BOARD NOTE: Drawn from 40 CFR 141.23(c)(6) (1991).

- g) A supplier that exceeds the MCL for barium, cadmium, chromium, fluoride, mercury, or selenium, as determined in Section 611.609, shall monitor quarterly for that contaminant, beginning in the next quarter after the violation occurred.

BOARD NOTE: Drawn from 40 CFR 141.23(c)(7) (1991).

- h) Reduction of quarterly monitoring.

- 1) The Agency shall grant a SEP pursuant to Section 611.110 that reduces the monitoring frequency to that specified by subsection (a) if it determines that the sampling point is reliably and consistently below the MCL.

- 2) A request for a SEP must include the following minimal information:

A) For a CWS: two quarterly samples.

B) For an SWS or mixed system: four quarterly samples.

- 3) In issuing the SEP, the Agency shall specify the level of the contaminant upon which the "reliably and consistently" determination was based. All SEPs that allow less frequent monitoring based on an Agency "reliably and consistently" determination shall include a condition requiring the supplier to resume quarterly monitoring for any contaminant pursuant to subsection (g) if it violates the MCL specified by Section 611.609 for that contaminant.

BOARD NOTE: Drawn from 40 CFR 141.23(c)(8) (1991).

(Source: Section 611.603 renumbered to Section 611.592, new Section 611.603 added at 16 Ill. Reg. 19010, effective December 1, 1992)

Section 611.604 Nitrate Monitoring

Each supplier shall monitor to determine compliance with the MCL for nitrate in Section 611.301.

- a) Suppliers shall monitor at the following frequencies, beginning January 1, 1993:

- 1) CWSs and NTN/CWSs:

A) CWSs: annually.

B) SWSs and mixed systems: quarterly.

BOARD NOTE: Drawn from 40 CFR 141.23(d)(1) (1991).

- 2) Transient non-CWSs: annually.

BOARD NOTE: Drawn from 40 CFR 141.23(d)(4) (1991).

- b) Quarterly monitoring for CWSs.

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1) A CWS or NTCWS supplier that is a CWS shall initiate quarterly monitoring in the quarter following any one sample that has a nitrate concentration equal to or greater than 50 percent of the MCL.

2) The Agency shall grant a SEP pursuant to Section 611.110 that reduces the monitoring frequency to annual after the supplier has completed quarterly sampling for at least four quarters if it determines that the sampling point is reliably and consistently below the MCL.

A) The request must include the following minimal information: the results from four consecutive quarterly samples.

B) In issuing the SEP, the Agency shall specify the level of the contaminant upon which the "reliably and consistently" determination was based. All SEPs that allow less frequent monitoring based on an Agency "reliably and consistently" determination shall include a condition requiring the supplier to resume quarterly monitoring pursuant to subsection (b)(1) if it violates the MCL specified by Section 611.301 for nitrate.

BOARD NOTE: Derived from 40 CFR 141.23(d)(2) (1991).

c) Reduction of monitoring frequency for SWSs and mixed systems.

1) The Agency shall grant a SEP pursuant to Section 611.110 that allows a CWS or NTCWS supplier that is a SWS or mixed system to reduce its monitoring frequency to annually if it determines that all analytical results from four consecutive quarters are less than 50 percent of the MCL.

2) As a condition of the SEP, the Agency shall require the supplier to initiate quarterly monitoring, beginning the next quarter, if any one sample is greater than or equal to 50 percent of the MCL.

BOARD NOTE: Drawn from 40 CFR 141.23(d)(3) (1991).

d) This subsection corresponds with 40 CFR 141.23(d)(4), which the Board has codified at subsection (a)(2). This statement maintains structural consistency with USEPA rules.

e) After completion of four consecutive quarters of monitoring, each CWS or NTCWS supplier monitoring annually shall take samples during the quarter(s) that resulted in the highest analytical result.

BOARD NOTE: Drawn from 40 CFR 141.23(d)(5) (1991).

(Source: Added at 16 Ill. Reg. 19010, effective December 1, 1991)

Section 611.605 Nitrate Monitoring

Each supplier shall monitor to determine compliance with the MCL for nitrate

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in Section 611.301.

a) All suppliers shall take one sample at each sampling point during the compliance period beginning January 1, 1993 and ending December 31, 1995.

b) This subsection corresponds with 40 CFR 141.23(e)(2), a provision by which USEPA refers to state requirements that do not exist in Illinois. This statement maintains structural consistency with USEPA rules.

c) Repeat monitoring frequency.

1) Quarterly monitoring.

A) A supplier that has any one sample in which the concentration is equal to or greater than 50 percent of the MCL shall initiate quarterly monitoring during the next quarter.

B) A supplier required to begin quarterly monitoring pursuant to subsection (c)(1)(A) shall continue on a quarterly basis for a minimum of one year following any one sample exceeding the 50 percent of the MCL, after which the supplier may discontinue quarterly monitoring pursuant to subsection (c)(2).

2) The Agency shall grant a SEP pursuant to Section 611.110 that allows a supplier to reduce its monitoring frequency to annually if it determines that the sampling point is reliably and consistently below the MCL.

A) A request for a SEP must include the following minimal information: the results from four quarterly samples.

B) In issuing the SEP, the Agency shall specify the level of the contaminant upon which the "reliably and consistently" determination was based. All SEPs that allow less frequent monitoring based on an Agency "reliably and consistently" determination shall include a condition requiring the supplier to resume quarterly monitoring for nitrate pursuant to subsection (c)(1) if it equals or exceeds 50 percent of the MCL specified by Section 611.301 for nitrate.

d) A supplier that is monitoring annually shall take samples during the quarter(s) which previously resulted in the highest analytical result.

BOARD NOTE: Derived from 40 CFR 141.23(e) (1991).

(Source: Added at 16 Ill. Reg. 19010, effective December 1, 1992)

Section 611.606 Analytical Methods Confirmation Samples

Analyses conducted to determine compliance with Section 611.300 must be made in accordance with the following methods incorporated by reference in Section 611.102. For approved analytical procedures for metals, the technique

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applicable to total metals must be used.

- a) ~~Arsenic~~
- 1) ~~ASTM Method D2972A or B~~ or
- 2) ~~Standard Methods, 14th Edition~~
- a) ~~Method 301A VII~~ or
- b) ~~Method 404A and 404B(4)~~ or
- 3) ~~USGS Methods, Method I 1062-78, pp. 61-63, Atomic Absorption
 Gaseous Hydride~~ or
- 4) ~~Inorganic Methods~~
- a) ~~Method 206.2, Atomic Absorption Furnace Technique~~ or
- b) ~~Method 206.3~~ or
- c) ~~Method 206.4~~ or
- 5) ~~Inductively Coupled Plasma Method 200.7~~
- b) ~~Barium~~
- 1) ~~Standard Methods, 14th Edition, Method 301A IV~~ or
- 2) ~~Inorganic Methods~~
- a) ~~Method 208.1~~ or
- b) ~~Method 208.2, Atomic Absorption Furnace Technique~~ or
- 3) ~~Inductively Coupled Plasma Method 200.7~~
- c) ~~Cadmium~~
- 1) ~~ASTM Method D2557 A or B~~ or
- 2) ~~Standard Methods, 14th Edition, Methods 301A II or III~~ or
- 3) ~~Inorganic Methods~~
- a) ~~Method 213.1~~ or
- b) ~~Method 213.2, Atomic Absorption Furnace Technique~~ or
- 4) ~~Inductively Coupled Plasma Method 200.7~~
- d) ~~Chromium~~
- 1) ~~ASTM Method D 1687~~ or
- 2) ~~Standard Methods, 14th Edition, Methods 301A II or III~~ or
- 3) ~~Inorganic Methods~~

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- a) ~~Method 218.1~~ or
- b) ~~Method 218.2, Atomic Absorption Furnace Technique~~ or
- 4) ~~Inductively Coupled Plasma Method 200.7~~
- e) ~~Lead~~
- 1) ~~ASTM Method D 3559 A or B~~ or
- 2) ~~Standard Methods, 14th Edition, Methods 301A II or III~~ or
- 3) ~~Inorganic Methods~~
- a) ~~Method 239.1~~ or
- b) ~~Method 239.2, Atomic Absorption Furnace Technique~~
- 4) ~~Inductively Coupled Plasma Method 200.7~~
- f) ~~Mercury~~
- 1) ~~ASTM Method D 3223~~ or
- 2) ~~Standard Methods, 14th Edition, Method 301A VI, Cold Vapor
 Technique~~ or
- 3) ~~Inorganic Methods~~
- a) ~~Method 245.1~~ or
- b) ~~Method 245.2, Automated Cold Vapor Technique~~
- g) ~~Nitrate~~
- 1) ~~ASTM~~
- a) ~~Method D 3867 A or B~~ or
- b) ~~Method D 992~~ or
- 2) ~~Standard Methods, 14th Edition~~
- a) ~~Method 4190, Spectrometric, Cadmium Reduction~~
- b) ~~Method 4190, Colorimetric, Brucine~~ or
- c) ~~Method 605, Automated Cadmium Reduction~~
- 3) ~~Inorganic Methods~~
- a) ~~Method 352.1~~ or
- b) ~~Method 352.1, Automated Hydrazine Reduction~~ or
- c) ~~Method 352.2~~ or
- d) ~~Method 352.2~~ or

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h) ~~Selenium~~1) ~~Inorganic Methods~~A) ~~Method 270.2, Atomic Absorption Furnace Technique or~~B) ~~Method 270.2, or~~2) ~~USGS Methods, Method I-1667-78, pp. 237-239, or~~3) ~~ASTM Method D-3859, or~~4) ~~Standard Methods, 14th Edition, Method 301A-VII, Hydride Generation - Atomic Absorption Spectrophotometry.~~i) ~~Silver~~1) ~~Standard Methods, 14th Edition, Method 301A-II, or~~2) ~~Inorganic Methods~~A) ~~Method 272.1, or~~B) ~~Method 272.2, Atomic Absorption Furnace Technique, or~~3) ~~Inductively Coupled Plasma Method 200.7,~~j) ~~Fluoride~~1) ~~ASTM D-1179 A or B, or~~2) ~~Standard Methods, 16th Edition,~~A) ~~Methods 413A and 413C,~~B) ~~413B, or~~C) ~~413E, or~~3) ~~Inorganic Methods~~A) ~~Method 340.1,~~B) ~~Method 340.2,~~C) ~~Method 340.3, or~~4) ~~Technicon Methods, Methods 129-71W or 380-75WB~~BOARD NOTE: ~~Derived from 40 CFR 141.22(f) (1989).~~k) ~~Manganese~~1) ~~ASTM D-850,~~2) ~~Standard Methods, 16th Edition, Method 303A,~~3) ~~Inorganic Methods, Methods 243.1 or 243.2, or~~

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4) ~~Inductively Coupled Plasma Method 200.7,~~BOARD NOTE: ~~These methods are used for additional State requirements.~~1) ~~Iron~~1) ~~Inorganic Methods, 236.1 or 236.2, or~~2) ~~Inductively Coupled Plasma Method 200.7,~~3) ~~Standard Methods, 16th Edition, Method 303A~~BOARD NOTE: ~~These methods are used for additional State requirements.~~m) ~~Copper~~1) ~~ASTM D-1688 D or E,~~2) ~~Standard Methods, 16th Edition,~~A) ~~Method 303A or B,~~B) ~~Method 304,~~BOARD NOTE: ~~These methods are used for additional State requirements.~~3) ~~Inorganic Methods, 220.1 or 220.2, or~~4) ~~Inductively Coupled Plasma Method 200.7,~~n) ~~Zinc~~1) ~~Inorganic Methods 209.1 or 209.2, or~~2) ~~Standard Methods, 16th Edition, Method 303A~~BOARD NOTE: ~~These methods are used for additional State requirements.~~o) ~~Cyanide~~1) ~~Inorganic Method 335.2, or~~2) ~~Standard Methods, 16th Edition, Method 412B~~BOARD NOTE: ~~These methods are used for additional State requirements.~~

a)

Where the results of sampling for asbestos, barium, cadmium, chromium, fluoride, mercury or selenium indicate a level in excess of the MCL, the supplier shall collect one additional sample as soon as possible after the supplier receives notification of the analytical result (but no later than two weeks after the initial sample was taken) at the same sampling point.

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- b) Where nitrate or nitrite sampling results indicate level in excess of the MCL, the supplier shall take a confirmation sample within 24 hours after the supplier's receipt of notification of the analytical results of the first sample.
- 1) Suppliers unable to comply with the 24-hour sampling requirement must, based on the initial sample, notify the persons served in accordance with Section 611.601.
- 2) Suppliers exercising this option must take and analyze a confirmation sample within two weeks of notification of the analytical results of the first sample.
- c) Averaging rules are specified in Section 611.609. The Agency shall delete the original or confirmation sample if it determines that a sampling error occurred, in which case the confirmation sample will replace the original sample.

BOARD NOTE: Derived from 40 CFR 141.23(f) (1991).

(Source: Repealed and New Section added at 16 Ill. Reg. 19010, effective December 1, 1992.

Section 611.607 Fluoride-Monitoring/More Frequent Monitoring and Confirmation Sampling

This Section corresponds with 40 CFR 141.23(a), a federal provision authorizing the states to require more frequent monitoring and confirmation sampling with regard to 40 CFR 141.23(b) through (e) (corresponding with Sections 611.602 through 611.605). The Act authorizes the Board to adopt such requirements. The Board has not done so at this Section. This statement maintains structural consistency with USEPA rules.

In addition to complying with Section 611.601 through 611.606, suppliers monitoring for fluoride shall comply with the requirements of this Section.

a) Sampling points.

- 1) Where the PWS draws water from one source, the supplier shall take one sample at the entry point to the distribution system.
- 2) Where the PWS draws water from more than one source, the supplier shall sample each source at the entry points to the distribution system.
- 3) If the PWS draws water from more than one source and sources are combined before distribution, the supplier shall sample at an entry point to the distribution system during periods representative of the maximum fluoride levels occurring under normal operating conditions.
- b) The Agency shall, by special exception permit, alter the frequencies for fluoride monitoring as set out in Section 611.601(a) to increase or decrease such frequency considering the following factors:

- 1) Reported concentrations from previously required monitoring

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- 2) The degree of variation in reported concentrations and other factors which effect fluoride concentrations such as changes in pumping rates in groundwater supplies or significant changes in the PWS's configuration, operating procedures, source of water and changes in stream flow.
- 3) Monitoring shall be decreased from the frequencies specified in Section 611.601(a) upon application by the supplier if the Agency determines that the supplier is unlikely to exceed the MCL, considering the factors listed in subsection (b). Such determination must be by special exception permit. In no case shall monitoring be reduced to less than one sample every 10 years. For suppliers monitoring once every 10 years, the Agency shall review the monitoring results every ten years to determine whether more frequent monitoring is necessary.
- e) Analyses for fluoride under this Section may only be used for determining compliance if conducted by laboratories that have analyzed performance evaluation samples to within +/- 10% of the reference value at fluoride concentrations from 1.0 mg/L to 10.0 mg/L, within the last 12 months. See 48 Ill. Adm. Code 103.125(e)(3).

- e) Compliance with the MCL must be determined based on each sampling point. If any sampling point is determined to be out of compliance, the supplier is deemed to be out of compliance.

BOARD NOTE: Derived from 40 CFR 141.23(g) (1999).

(Source: Section repealed. new Section added at 16 Ill. Reg. 19010 effective December 1, 1992.)

Section 611.608 Additional Optional Monitoring

Suppliers may conduct additional, more frequent monitoring than the minimum frequencies specified in this Subpart, without prior approval from the Agency. The supplier must report the results of all such monitoring to the Agency.

BOARD NOTE: Derived from 40 CFR 141.23(h) (1991).

(Source: Added at 16 Ill. Reg. 19010, effective December 1, 1992

Section 611.609 Averaging

Compliance with the MCLs of Sections 611.300 or 611.301 (as appropriate) must be determined based on the analytical result(s) obtained at each sampling point.

- a) For suppliers that monitor at a frequency greater than annual, compliance with the MCLs for asbestos, barium, cadmium, chromium, fluoride, mercury, and selenium is determined by a running annual average at each sampling point.

- 1) If the average at any sampling point is greater than the MCL, then the supplier is out of compliance.
- 2) If any one sample would cause the annual average to be

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exceeded, then the supplier is out of compliance immediately.

- 3) Any sample below the method detection limit must be calculated at zero for the purpose of determining the annual average.

BOARD NOTE: The "method detection limit" is different from the "detection limit", as set forth in Section 611.600. The "method detection limit" is the level of contaminant that can be determined by a particular method with a 95 percent degree of confidence, as determined by the method outlined in 40 CFR 136, appendix B, incorporated by reference at Section 611.102.

- b) For suppliers that monitor annually or less frequently, compliance with the MCLs for asbestos, barium, cadmium, chromium, fluoride, mercury, and selenium is determined by the level of the contaminant at any sampling point. If a confirmation sample is taken, the determination of compliance will be based on the average of the two samples.

- c) Compliance with the MCLs for nitrate and nitrite is determined based on one sample if the levels of these contaminants are below the MCLs. If the levels of nitrate or nitrite exceed the MCLs in the initial sample, Section 611.606 requires confirmation sampling, and compliance is determined based on the average of the initial and confirmation samples.

- d) When the portion of the distribution system that is out of compliance is separable from other parts of the distribution system and has no interconnections, the supplier may give the public notice required by Subpart T only to persons served by that portion of the distribution system not in compliance.

BOARD NOTE: Derived from 40 CFR 141.23(i) (1991).

(Source: Added at 16 Ill. Reg. 19010, effective December 1, 1992

Section 611.610 Special Monitoring for Sodium/Inorganic Monitoring Times

- a) CMS suppliers shall collect and analyze one sample per plant at the entry point of the distribution system for the determination of sodium concentration levels; samples must be collected and analyzed annually for CMSs utilizing surface water sources in whole or in part, and at least every three years for CMSs utilizing solely groundwater sources. The minimum number of samples required to be taken by the supplier is based on the number of treatment plants used by the supplier, except that multiple wells drawing raw water from a single aquifer may, with the Agency approval, be considered one treatment plant for determining the minimum number of samples. The Agency shall require the supplier to collect and analyze water samples for sodium more frequently in locations where the sodium content is variable.

- b) The CMS supplier shall report to the Agency the results of the analyses for sodium within the first 10 days of the month

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following the month in which the sample results were received or within the first 10 days following the end of the required monitoring period as specified by special exception permit, whichever of these is first. If more than annual sampling is required the supplier shall report the average sodium concentration within 10 days of the month following the month in which the analytical results of the last sample used for the annual average was received.

- e) The CMS supplier shall notify the Agency and appropriate local public health officials of the sodium levels by written notice by direct mail within three months. A copy of each notice required to be provided by this subsection must be sent to the Agency within 10 days of its issuance.

- d) Analyses for sodium must be performed by the following methods incorporated by reference in Section 611.102:

- 1) Standard Method, 14th Edition, Method 320 and 320A, flame photometric method,

- 2) Inorganic Methods,

- a) Method 273.1, Atomic Absorption—Direct Aspiration,
or

- b) Method 273.2, Atomic Absorption—Graphite Furnace,
or

- 3) ASTM Method D1428.

BOARD NOTE: Derived from 40 CFR 141.41 (1989).

Each supplier shall monitor, within each compliance period, at the time designated by the Agency by SEP.

BOARD NOTE: Derived from 40 CFR 141.23(j) (1991).

(Source: Renumbered to Section 611.630 and new Section 611.610 added at 16 Ill. Reg. 19010, effective December 1, 1992)

Section 611.611 Inorganic Analysis

Analytical methods are from documents incorporated by reference in Section 611.102. These are mostly referenced by a short name defined by Section 611.102(a). Other abbreviations are defined in Section 611.101.

- a) Analysis for asbestos, barium, cadmium, chromium, mercury, nitrate, nitrite, and selenium pursuant to Sections 611.600 through 611.604 must be conducted using the following methods. For approved analytical techniques for metals and selenium, the technique applicable to total metals must be used.

- 1) Asbestos: Transmission electron microscopy, Asbestos Methods.

- 2) Barium:

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- 3) Cadmium:
- A) Atomic absorption, furnace technique:
- i) Inorganic Methods: Method 208.2, or
 - ii) Standard Methods: Method 304;
- B) Atomic absorption, direct aspiration:
- i) Inorganic Methods: Method 208.1, or
 - ii) Standard Methods: Method 303C; or
- C) Inductively-coupled plasma arc furnace, Inductively Coupled Plasma Method: Method 200.7, as supplemented by Method 200.7A.
- 4) Chromium:
- A) Atomic absorption, furnace technique:
- i) Inorganic Methods: Method 213.2, or
 - ii) Standard Methods: Method 304; or
- B) Inductively-coupled plasma arc furnace, Inductively Coupled Plasma Method, Method 200.7, as supplemented by Method 200.7A.
- 5) Mercury:
- A) Manual cold vapor technique:
- i) Inorganic Methods: Method 245.1,
 - ii) ASTM D3223-86, or
 - iii) Standard Methods: Method 303F; or
- B) Automated cold vapor technique, Inorganic Methods: Method 245.2.
- 6) Nitrate:

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- A) Manual cadmium reduction:
- i) Inorganic Methods: Method 353.3,
 - ii) ASTM D3867-90, or
 - iii) Standard Methods: Method 418C;
- B) Automated hydrazine reduction: Inorganic Methods: Method 353.1;
- C) Automated cadmium reduction:
- i) Inorganic Methods: Method 353.2,
 - ii) ASTM D3867-90, or
 - iii) Standard Methods: Method 418F;
- D) Ion selective electrode: WenWG/5880, available from Orion Research; or
- E) Ion chromatography:
- i) Inorganic Methods: Method 300.0, or
 - ii) B-1011, available from Millipore Corporation.
- 7) Nitrite:
- A) Spectrophotometric: Inorganic Methods: Method 354.1;
- B) Automated cadmium reduction:
- i) Inorganic Methods: Method 353.2,
 - ii) ASTM D3867-90, or
 - iii) Standard Methods: Method 418F;
- C) Manual cadmium reduction:
- i) Inorganic Methods: Method 353.3,
 - ii) ASTM D3867-90, or
 - iii) Standard Methods: Method 418C.
- D) Ion chromatography:
- i) Inorganic Methods: Method 300.0, or
 - ii) Method B-1011, available from Millipore Corporation.
- 8) Selenium:
- A) Atomic absorption, gaseous hydride: ASTM D3859-88A;

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or

B) Atomic absorption, furnace technique:

- i) Inorganic Methods: Method 270.2.
- ii) ASTM D3859-88B, or
- iii) Standard Methods: Method 304 (Prior to dilution of the selenium calibration standard, add 2 mL of 30% hydrogen peroxide for each 100 mL of standard.).

b) Arsenic. Analyses for arsenic must be conducted using one of the following methods:

1) Atomic absorption, furnace technique: Inorganic Methods: Method 206.2;

2) Atomic absorption, gaseous hydride:

- A) Inorganic Methods: Method 206.3.
- B) ASTM D2972-88B.
- C) Standard Methods:

- i) Method 307A (referencing Methods 303E and 304), or
- ii) Method 307B

D) USGS Methods: I-1062-85;

3) Spectrophotometric, silver diethyldithiocarbamate:

- A) Inorganic Methods: Method 206.4.
- B) ASTM D 2972-88A, or
- C) Standard Methods: Method 307B; or

4) Inductively-coupled plasma arc furnace, Inductively Coupled Plasma Method, Method 200.7, as supplemented by Method 200.7A.

c) Fluoride. Analyses for fluoride must be conducted using one of the following methods:

1) Colorimetric SPADNS, with distillation:

- A) Inorganic Methods: Method 340.1.
- B) ASTM D1179-72A, or
- C) Standard Methods: Methods 413A and 413C;

BOARD NOTE: 40 CFR 141.23(k)(3) cites methods "43 A

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and C", an obvious error that the Board has corrected to "413A and 413C".

2) Potentiometric, ion selective electrode:

- A) Inorganic Methods: Method 340.2.
- B) ASTM D1179-72B, or
- C) Standard Methods: Method 413B;

3) Automated Alizarin fluoride blue, with distillation (complexonel):

- A) Inorganic Methods: Method 340.3.
- B) Standard Methods: Method 413E, or
- C) Technicon Methods: Method 129-71W; or

4) Automated ion selective electrode: Technicon Methods, Method 380-75WE.

d) Sample collection for asbestos, barium, cadmium, chromium, fluoride, mercury, nitrate, nitrite and selenium pursuant to Sections 611.600 through 611.604 must be conducted using the following sample preservation, container and maximum holding time procedures:

1) Asbestos:

- A) Preservative: Cool to 4° C.
- B) Plastic or glass (hard or soft).

2) Barium:

- A) Preservative: Concentrated nitric acid to pH less than 2. If nitric acid cannot be used because of shipping restrictions, the sample may initially be preserved by icing and immediately shipping it to the laboratory. Upon receipt in the laboratory, the sample must be acidified with concentrated nitric acid to pH less than 2. At the time of sample analysis, the sample container must be thoroughly rinsed with 1:1 nitric acid; washings must be added to the sample.
- B) Plastic or glass (hard or soft).

C) Holding time: Samples must be analyzed as soon after collection as possible, but in any event within 6 months.

3) Cadmium:

- A) Preservative: Concentrated nitric acid to pH less than 2. If nitric acid cannot be used because of shipping restrictions, the sample may initially be

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preserved by icing and immediately shipping it to the laboratory. Upon receipt in the laboratory, the sample must be acidified with concentrated nitric acid to pH less than 2. At the time of sample analysis, the sample container must be thoroughly rinsed with 1:1 nitric acid; washings must be added to the sample.

B) Plastic or glass (hard or soft).

C) Holding time: Samples must be analyzed as soon after collection as possible, but in any event within 6 months.

4) Chromium:

A) Preservative: Concentrated nitric acid to pH less than 2. If nitric acid cannot be used because of shipping restrictions, the sample may initially be preserved by icing and immediately shipping it to the laboratory. Upon receipt in the laboratory, the sample must be acidified with concentrated nitric acid to pH less than 2. At the time of sample analysis, the sample container must be thoroughly rinsed with 1:1 nitric acid; washings must be added to the sample.

B) Plastic or glass (hard or soft).

C) Holding time: Samples must be analyzed as soon after collection as possible, but in any event within 6 months.

5) Fluoride:

A) Preservative: None.

B) Plastic or glass (hard or soft).

C) Holding time: Samples must be analyzed as soon after collection as possible, but in any event within 1 month.

6) Mercury:

A) Preservative: Concentrated nitric acid to pH less than 2. If nitric acid cannot be used because of shipping restrictions, the sample may initially be preserved by icing and immediately shipping it to the laboratory. Upon receipt in the laboratory, the sample must be acidified with concentrated nitric acid to pH less than 2. At the time of sample analysis, the sample container must be thoroughly rinsed with 1:1 nitric acid; washings must be added to the sample.

B) Plastic or glass (hard or soft).

C) Holding time: Samples must be analyzed as soon after collection as possible, but in any event within 28 days.

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7) Nitrate, chlorinated:

A) Preservative: Cool to 4° C.

B) Plastic or glass (hard or soft).

C) Holding time: Samples must be analyzed as soon after collection as possible, but in any event within 28 days.

8) Nitrate, non-chlorinated:

A) Preservative: Concentrated sulfuric acid to pH less than 2.

B) Plastic or glass (hard or soft).

C) Holding time: Samples must be analyzed as soon after collection as possible, but in any event within 14 days.

9) Nitrite:

A) Preservative: Cool to 4° C.

B) Plastic or glass (hard or soft).

C) Holding time: Samples must be analyzed as soon after collection as possible, but in any event within 48 hours.

10) Selenium:

A) Preservative: Concentrated nitric acid to pH less than 2. If nitric acid cannot be used because of shipping restrictions, the sample may initially be preserved by icing and immediately shipping it to the laboratory. Upon receipt in the laboratory, the sample must be acidified with concentrated nitric acid to pH less than 2. At the time of sample analysis, the sample container must be thoroughly rinsed with 1:1 nitric acid; washings must be added to the sample.

B) Plastic or glass (hard or soft).

C) Holding time: Samples must be analyzed as soon after collection as possible, but in any event within 6 months.

e) Analyses under this Subpart must be conducted by laboratories that received approval from USEPA or the Agency. The Agency shall approve laboratories to conduct analyses for asbestos, barium, cadmium, chromium, fluoride, mercury, nitrate, nitrite and selenium if the laboratory:

1) Analyzes performance evaluation samples, provided by the Agency pursuant to 35 Ill. Adm. Code 183.125(c), that include those substances at levels not in excess of levels

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expected in drinking water; and

2) Achieves quantitative results on the analyses within the following acceptance limits:

- A) Asbestos, 2 standard deviations based on study statistics.
- B) Barium, $\pm 15\%$ at greater than or equal to 0.15 mg/L.
- C) Cadmium, $\pm 20\%$ at greater than or equal to 0.002 mg/L.
- D) Chromium, $\pm 15\%$ at greater than or equal to 0.01 mg/L.
- E) Fluoride, $\pm 10\%$ at 1 to 10 mg/L.
- F) Mercury, $\pm 30\%$ at greater than or equal to 0.0005 mg/L.
- G) Nitrate, $\pm 10\%$ at greater than or equal to 0.4 mg/L.
- H) Nitrite, $\pm 15\%$ at greater than or equal to 0.4 mg/L.
- I) Selenium, $\pm 20\%$ at greater than or equal to 0.01 mg/L.

BOARD NOTE: Derived from 40 CFR 141.23(k).

(Source: Added at 16 Ill. Reg. 19010, effective December 1, 1999

Section 611.60+12 Monitoring Requirements for Old Inorganic MCLs

a) Analyses for the purpose of determining compliance with the old inorganic MCLs of Section 611.300 are required as follows:

- 1) Analyses for all CWSs utilizing surface water sources must be repeated at yearly intervals.

BOARD NOTE: This applies also to additional State requirements.

- 2) Analyses for all CWSs utilizing only groundwater sources must be repeated at three-year intervals.

BOARD NOTE: This applies also to additional State requirements.

- 3) For non-CWSs, whether supplied by surface or groundwater sources, analyses for nitrate must be repeated at intervals specified by Public Health. This subsection corresponds with 40 CFR 141.23(l)(3) (1991), which requires monitoring for the repealed old MCL for nitrate at a frequency specified by the state. The Board has followed the USEPA lead and repealed that old MCL. This statement maintains structural consistency with USEPA rules.

- 4) This subsection corresponds with 40 CFR 141.23(l)(4) (1991), which authorizes the state to determine compliance and initiate enforcement action. This authority exists through

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the authorization of the Act, not thorough federal rules. This statement maintains structural consistency with USEPA rules.

- b) If the result of an analysis made under subsection (a) of Section 611.607 indicates that the level of any contaminant listed in Section 611.300 exceeds the old MCL, the supplier shall report to the Agency within 7 days and initiate three additional analyses at the same sampling point within one month.

BOARD NOTE: This applies also to additional State requirements.

- c) When the average of four analyses made pursuant to subsection (b), rounded to the same number of significant figures as the old MCL for the substance in question, exceeds the old MCL, the supplier shall notify the Agency and give notice to the public pursuant to Subpart T. Monitoring after public notification must be at a frequency designated by the Agency by a SEP granted pursuant to Section 611.110 and must continue until the old MCL has not been exceeded in two successive samples or until a different monitoring schedule becomes effective as a condition to a variance, an adjusted standard, a site specific rule, or an enforcement action, or another SEP granted pursuant to Section 611.110 becomes effective.

BOARD NOTE: This applies also to additional State requirements.

- d) The provisions of subsections (b) and (c) notwithstanding, compliance with the MCL of nitrate must be determined on the basis of the mean of two analyses. When a level exceeding the MCL for nitrate is found, a second analysis must be initiated within 24 hours, and if the mean of the two analyses exceeds the MCL, the supplier of water shall report his findings to the Agency and shall notify the public pursuant to Subpart T. This subsection corresponds with 40 CFR 141.23(o) (1991), which pertains to monitoring for the repealed old MCL for nitrate. The Board has followed the USEPA action and repealed that old MCL. This statement maintains structural consistency with USEPA rules.

- e) This subsection corresponds with 40 CFR 141.23(p) (1991), which pertains to the use of existing data up until a date long since expired. The Board did not adopt the original provision in R88-26. This statement maintains structural consistency with USEPA rules.

f) Analyses conducted to determine compliance with the old MCLs of Section 611.300 must be made in accordance with the following methods, incorporated by reference in Section 611.102.

- 1) Arsenic:
 - A) ASTM:
 - i) Method D2972-88A, or
 - ii) Method D2972-88B;
 - B) Standard Methods:

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- i) Method 307A, or
- ii) Method 307B;

C) USGS Methods, Method I-1062-85;

D) Inorganic Methods:

- i) Method 206.2, or
- ii) Method 206.3; or

E) Inductively Coupled Plasma Method 200.7, as supplemented by appendix 200.7A.

2) Barium:

A) Standard Methods: Method 308;

B) Inorganic Methods:

- i) Method 208.1, or
- ii) Method 208.2; or

C) Inductively Coupled Plasma Method 200.7, as supplemented by appendix 200.7A.

3) Lead:

A) ASTM:

- i) Method D3559-78A, or
- ii) Method D3559-78B;

B) Standard Methods:

- i) Method 301A (II), or
- ii) Method 301A (III);

C) Inorganic Methods:

- i) Method 239.1, or
- ii) Method 239.2; or

D) Inductively Coupled Plasma Method 200.7, as supplemented by appendix 200.7A.

- i) Method 243.1, or
- ii) Method 243.2; or

4) Fluoride: The methods specified in Section 611.611(c) shall apply for the purposes of this Section.

5) Copper:

A) ASTM:

- i) Method D3559-78A, or
- ii) Method D3559-78B;

B) Standard Methods:

- i) Method 301A (II), or
- ii) Method 301A (III);

C) Inorganic Methods:

- i) Method 239.1, or
- ii) Method 239.2; or

D) Inductively Coupled Plasma Method 200.7, as supplemented by appendix 200.7A.

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- i) Method D1688-84D, or
- ii) Method D1688-84E;

B) Standard Methods:

- i) Method 303A,
- ii) Method 303B, or
- iii) Method 304;

C) Inorganic Methods:

- i) Method 220.1, or
- ii) Method 220.2; or

D) Inductively Coupled Plasma Method 200.7, as supplemented by appendix 200.7A.

6) Cyanide:

A) Standard Methods: Method 412D, or

B) Inorganic Methods: Method 335.2.

7) Iron:

A) Standard Methods: Method 303A;

B) Inorganic Methods:

- i) Method 236.1, or
- ii) Method 236.2; or

C) Inductively Coupled Plasma Method 200.7, as supplemented by appendix 200.7A.

8) Manganese:

A) ASTM: Method D858-84;

B) Standard Methods: Method 303A;

C) Inorganic Methods:

- i) Method 243.1, or
- ii) Method 243.2; or

D) Inductively Coupled Plasma Method 200.7, as supplemented by appendix 200.7A.

9) Zinc:

A) Standard Methods: Method 303A; or

- i) Method 243.1, or
- ii) Method 243.2; or

D) Inductively Coupled Plasma Method 200.7, as supplemented by appendix 200.7A.

- i) Method 243.1, or
- ii) Method 243.2; or

D) Inductively Coupled Plasma Method 200.7, as supplemented by appendix 200.7A.

9) Zinc:

A) Standard Methods: Method 303A; or

- i) Method 243.1, or
- ii) Method 243.2; or

D) Inductively Coupled Plasma Method 200.7, as supplemented by appendix 200.7A.

- i) Method 243.1, or
- ii) Method 243.2; or

D) Inductively Coupled Plasma Method 200.7, as supplemented by appendix 200.7A.

- i) Method 243.1, or
- ii) Method 243.2; or

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B) Inorganic Methods:

- i) Method 289.1, or
- ii) Method 289.2.

BOARD NOTE: The provisions of subsections (a) through (f) apply to additional state requirements. Subsections (a) through (f)(3) derived from 40 CFR 141.23(a) through (ag) (1989). The Board has deleted several analytical methods codified by USEPA at 40 CFR 141.23(g) (formerly 40 CFR 141.23(f)) because the MCLs of 40 CFR 141.11 expired for those contaminants on July 30, 1992. Subsection (f)(4) relates to a contaminant for which USEPA specifies an MCL, but for which it repealed the analytical method. Subsections (f)(5) through (f)(9) relate exclusively to additional state requirements. The predecessor to subsections (a) through (e) was formerly codified as Section 611.601. The predecessor to subsection (f) was formerly codified as Section 611.606.

(Source: Renumbered from Section 611.601 and amended at 16 Ill. Reg. 19010, effective December 1, 1992)

Section 611.630 Special Monitoring for Sodium

a) CWS suppliers shall collect and analyze one sample per plant at the entry point of the distribution system for the determination of sodium concentration levels; samples must be collected and analyzed annually for CWSs utilizing surface water sources in whole or in part, and at least every three years for CWSs utilizing solely groundwater sources. The minimum number of samples required to be taken by the supplier is based on the number of treatment plants used by the supplier, except that multiple wells drawing raw water from a single aquifer may, with the Agency approval, be considered one treatment plant for determining the minimum number of samples. The Agency shall require the supplier to collect and analyze water samples for sodium more frequently in locations where the sodium content is variable.

b) The CWS supplier shall report to the Agency the results of the analyses for sodium within the first 10 days of the month following the month in which the sample results were received or within the first 10 days following the end of the required monitoring period as specified by special exception permit-SEP, whichever of these is first. If more than annual sampling is required the supplier shall report the average sodium concentration within 10 days of the month following the month in which the analytical results of the last sample used for the annual average was received.

c) The CWS supplier shall notify the Agency and appropriate local public health officials of the sodium levels by written notice by direct mail within three months. A copy of each notice required to

be provided by this subsection must be sent to the Agency within 10 days of its issuance.

d) Analyses for sodium must be performed by the following methods, incorporated by reference in Section 611.102:

- 1) Standard Methods, ~~14th Edition~~, Methods 320 and 320A, flame photometric method;
- 2) Inorganic Methods:
 - A) Method 273.1, Atomic Absorption - Direct Aspiration; or
 - B) Method 273.2, Atomic Absorption - Graphite Furnace; or
- 3) ASTM Method D1428-64.

BOARD NOTE: Derived from 40 CFR 141.41 (1989).

(Source: Section 611.630 renumbered from Section 611.610 and amended at 16 Ill. Reg. 19010, effective December 1, 1992)

Section 611.631 Special Monitoring for Inorganic Chemicals

Section 611.510 sets forth requirements for the special monitoring of unregulated inorganic contaminants.

(Source: Added at 16 Ill. Reg. 19010, effective December 1, 1992)

SUBPART O: ORGANIC MONITORING AND ANALYTICAL REQUIREMENTS

Section 611.640 Definitions

The following terms are defined for use in this Subpart only. Additional definitions are located in Section 611.102.

"Old MCL" means an MCL in Section 611.310. These include the MCLs identified as "additional state requirements" and those derived from 40 CFR 141.12, but excluding TRHM. "Old MCLs" includes the Section 611.310 MCLs for the following contaminants:

- Aldrin
- 2,4-D
- DDT
- Dieldrin
- Endrin
- Heptachlor
- Heptachlor epoxide

BOARD NOTE: 2,4-D, heptachlor, and heptachlor epoxide are also "Phase II SOCs". The additional state requirements of Section 611.310 impose a more stringent "old MCL" for each of these compounds than that imposed on them as Phase II SOCs by Section 611.311. However, the requirements for sampling and monitoring for these compounds as Phase II SOCs and the consequences of their detection and violation of their revised MCLs is more stringent as Phase II SOCs.

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"Phase II VOCs" means:

Alachlor
Atrazine
Carbofuran
Chlordane
Dibromochloropropane
Ethylene dibromide
Heptachlor
Heptachlor epoxide
Lindane
Methoxychlor
Polychlorinated biphenyls
Toxaphene
2,4-D
2,4,5-TP

BOARD NOTE: These are organic contaminants regulated at 40 CFR 141.61(c)(1) through (c)(18) (1991). The MCLs for these contaminants are located at Section 611.311. More stringent MCLs for heptachlor, heptachlor epoxide, and 2,4-D are found as "additional state requirements" in Section 611.310.

"Phase I VOCs" means:

Benzene
Carbon tetrachloride
p-Dichlorobenzene
1,2-Dichloroethane
1,1-Dichloroethylene
1,1,1-Trichloroethane
Trichloroethylene
Vinyl chloride

BOARD NOTE: These are the organic contaminants regulated at 40 CFR 141.61(a)(1) through (a)(8) (1991). The MCLs for these contaminants are located at Section 611.311(a).

"Phase II VOCs" means:

o-Dichlorobenzene
cis-1,2-Dichloroethylene
trans-1,2-Dichloroethylene
1,2-Dichloropropane
Ethylbenzene
Monochlorobenzene
Styrene
Tetrachloroethylene
Toluene
Xylenes (total)

BOARD NOTE: These are organic contaminants regulated at 40 CFR 141.61(a)(9) through (a)(18) (1991). The MCLs for these contaminants are in Section 611.311(a).

"Revised MCL" means an MCL in Section 611.311. This term includes MCLs for "Phase I VOCs", "Phase II VOCs" and "Phase II SOCs".

Source: Added at 16 Ill. Reg. 19010, effective December 1, 1991

Section 611.641 Sampling and Analytical Requirements Old MCLs

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a) An analysis of substances for the purpose of determining compliance with the old MCLs of Section 611.310(a) and (b) must be made as follows:

- 1) The Agency shall, by special exception permit SEP, require CWS suppliers utilizing surface water sources to collect samples during the period of the year when contamination by pesticides is most likely to occur. The Agency shall require the supplier to repeat these analyses at least annually.

BOARD NOTE: This applies also to additional State requirements.

- 2) The Agency shall, by special exception permit SEP, require CWS suppliers utilizing only groundwater sources to collect samples at least once every three years.

BOARD NOTE: This applies also to additional State requirements.

b) If the result of an analysis made pursuant to subsection (a) indicates that the level of any contaminant listed in Section 611.310 (a) and (b) exceeds the old MCL, the CWS supplier shall report to the Agency within 7 days and initiate three additional analyses within one month.

c) When the average of four analyses made pursuant to subsection (b), rounded to the same number of significant figures as the MCL for the substance in question, exceeds the old MCL, the CWS supplier shall report to the Agency and give notice to the public pursuant to Subpart T. Monitoring after public notification must be at a frequency designated by the Agency and must continue until the MCL has not been exceeded in two successive samples or until a monitoring schedule as a condition to a variance, adjusted standard or enforcement action becomes effective.

BOARD NOTE: Derived from 40 CFR 141.24(a) through (d) (1989).

(Source: Amended at 16 Ill. Reg. 19010, effective December 1, 1992)

Section 611.645 Analytical Methods for Old MCLs

a) Analysis made to determine compliance with the old MCLs of Section 611.310(a) must be made in accordance with the following methods, incorporated by reference in Section 611.102, or alternative methods approved pursuant to Section 611.480, the appropriate methods specified in Section 611.648(l).

- 1) Pesticide Methods, or
- 2) ASTM Method D-3066, or
- 3) Standard Methods, 14th Edition, Method 5091, or
- 4) USGS Method, Book 5, Chapter A-3, pp. 24-26, or
- 5) SPE Test Method Number SPE-500

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b) ~~Analysis made to determine compliance with Section 611.310(b) must be conducted in accordance with:~~

- 1) ~~Pesticide Method, or~~
- 2) ~~ASTM Method D-3478, or~~
- 3) ~~Standard Method, 14th Edition, Method 509B, or~~
- 4) ~~USGS Method, Book 5, Chapter A-3, pp. 24-35.~~

BOARD NOTE: Derived from 40 CFR 141.24(e-f) (1989).

(Source: Amended at 16 Ill. Reg. 19010, effective December 1, 1992

Section 611.646 Phase I and Phase II Volatile Organic Contaminants

Monitoring of the Phase I VOCs and Phase II VOCs for the purpose of determining compliance with the MCL must be conducted as follows:

a) Definitions. As used in this Section:

"Detect" and "detection" means that the contaminant of interest is present at a level greater than or equal to the "detection limit".

"Detection limit" means 0.0005 mg/L.

BOARD NOTE: Derived from 40 CFR 141.24(f)(7), (f)(11), (f)(14)(i), and (f)(20) (1991). This is a "trigger level" for Phase I VOCs and Phase II VOCs inasmuch as it prompts further action. The use of the term "detect" in this section is not intended to include any analytical capability of quantifying lower levels of any contaminant, or the "method detection limit". Note, however that certain language at the end of federal paragraph (f)(20) is capable of meaning that the "method detection limit" is used to derive the "detection limit". The Board has chosen to disregard that language at the end of paragraph (f)(20) in favor of the more direct language of paragraphs (f)(7) and (f)(11).

"Method detection limit", as used in subsections (q) and (t) means the minimum concentration of a substance that can be measured and reported with 99 percent confidence that the analyte concentration is greater than zero and is determined from analysis of a sample in a given matrix containing the analyte.

BOARD NOTE: Derived from 40 CFR 136, Appendix B (1991). The method detection limit is determined by the procedure set forth in 40 CFR 136, Appendix B. See subsection (t).

b) Required sampling. Each supplier shall take a minimum of one sample at each sampling point at the times required in subsection (u).

c) Sampling points.

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1) Sampling points for GWSs. Unless otherwise provided by SEP, a GWS supplier shall take at least one sample from each of the following points: each entry point that is representative of each well after treatment.

2) Sampling points for SWSs and mixed systems. Unless otherwise provided by SEP, a SWS or mixed system supplier shall sample from each of the following points:

- A) Each entry point after treatment; or
- B) Points in the distribution system that are representative of each source.

3) The supplier shall take each sample at the same sampling point unless the Agency has granted a SEP that designates another location as more representative of each source, treatment plant, or within the distribution system.

4) If a system draws water from more than one source, and the sources are combined before distribution, the supplier shall sample at an entry point during periods of normal operating conditions when water is representative of all sources being used.

BOARD NOTE: Subsections (b) and (c) derived from 40 CFR 141.24(f)(1) through (f)(3) (1991).

d) Each GWS and NTNWS supplier shall take four consecutive quarterly samples for each of the Phase I VOCs, excluding vinyl chloride, and Phase II VOCs during each compliance period, beginning in the compliance period starting January 1, 1993.

e) Reduction to annual monitoring frequency. If the initial monitoring for the Phase I VOCs and Phase II VOCs as allowed in subsection (f)(1) has been completed by December 31, 1992, and the supplier did not detect any of the Phase I VOCs, including vinyl chloride, or Phase II VOCs, then the supplier shall take one sample annually beginning January 1, 1993.

f) GWS reduction to triennial monitoring frequency. After a minimum of three years of annual sampling, GWS suppliers that have not previously detected any of the Phase I VOCs, including vinyl chloride, or Phase II VOCs shall take one sample during each three-year compliance period.

g) A GWS or NTNWS supplier that has completed the initial round of monitoring required by subsection (d) and which did not detect any of the Phase I VOCs, including vinyl chloride, and Phase II VOCs may apply to the Agency for a SEP pursuant to Section 611.110 that releases it from the requirements of subsection (e) or (f).

BOARD NOTE: Derived from 40 CFR 141.24(f)(7) and (f)(10) (1991). Provisions concerning the term of the waiver appear below in subsections (i) and (j). The definition of "detect", parenthetically added to the federal counterpart paragraph is in subsection (a).

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- h) Vulnerability Assessment. The Agency shall consider the factors of Section 611.110(e) in granting a SEP from the requirements of subsections (e) or (f) sought pursuant to subsection (q).

- i) A SEP issued to a GWS pursuant to subsection (q) is for a maximum of six years. As a condition of a SEP, the supplier shall, within 30 months after the beginning of the period for which the waiver was issued, reconfirm its vulnerability assessment required by subsection (h) and submitted pursuant to subsection (q), by taking one sample at each sampling point and reapplying for a SEP pursuant to subsection (q). Based on this application, the Agency shall either:

- 1) If it determines that the PWS meets the standard of Section 611.610(e), issue a SEP that reconfirms the prior SEP for the remaining three-year compliance period of the six-year maximum term; or,

- 2) Issue a new SEP requiring the supplier to sample annually.

BOARD NOTE: This provision does not apply to SWSs and mixed systems.

- i) Special considerations for SEPs for SWS and mixed systems.

- 1) The Agency must determine that a SWS is not vulnerable before issuing a SEP pursuant to a SWS supplier. A SEP issued to a SWS or mixed system supplier pursuant to subsection (q) is for a maximum of one compliance period; and

- 2) The Agency may require, as a condition to a SEP issued to a SWS or mixed supplier, that the supplier take such samples for Phase I VOCs and Phase II VOCs at such a frequency as the Agency determines are necessary, based on the vulnerability assessment.

BOARD NOTE: There is a great degree of similarity between 40 CFR 141.24(f)(7), the provision applicable to GWSs, and 40 CFR 141.24(f)(10), the provision for SWSs. The Board has consolidated the common requirements of both paragraphs into subsection (q). Subsection (i) represents the elements unique to SWSs and mixed systems, and subsection (i) relates to GWSs. Although 40 CFR 141.24(f)(7) and (f)(10) are silent as to mixed systems, the Board has included mixed systems with SWSs because this best follows the federal scheme for all other contaminants.

- k) If one of the Phase I VOCs, excluding vinyl chloride, or Phase II VOCs is detected in any sample, then:

- 1) The supplier shall monitor quarterly for that contaminant at each sampling point that resulted in a detection.

- 2) Annual monitoring.

- A) The Agency shall grant a SEP pursuant to Section 611.110 that allows a supplier to reduce the

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monitoring frequency to annual at a sampling point if it determines that the sampling point is reliably and consistently below the MCL.

- B) A request for a SEP must include the following minimal information:

- i) For a GWS, two quarterly samples.
ii) For a SWS or mixed system, four quarterly samples.

- C) In issuing a SEP, the Agency shall specify the level of the contaminant upon which the "reliably and consistently" determination was based. All SEPs that allow less frequent monitoring based on an Agency "reliably and consistently" determination shall include a condition requiring the supplier to resume quarterly monitoring pursuant to subsection (k)(1) if it violates the MCL specified by Section 611.311.

- 3) Suppliers that monitor annually shall monitor during the quarter(s) that previously yielded the highest analytical result.

- 4) Suppliers that do not detect a contaminant at a sampling point in three consecutive annual samples may apply to the Agency for a SEP pursuant to Section 611.110 that allows it to discontinue monitoring for that contaminant at that point, as specified in subsection (q).

- 5) A GWS supplier that has detected one or more of the two-carbon contaminants listed in subsection (k)(5)(A) shall monitor quarterly for vinyl chloride as described in subsection (k)(5)(B), subject to the limitation of subsection (k)(5)(C).

- A) Two-carbon contaminants (Phase I or II VOC):

1,2-Dichloroethane (Phase I)
1,1-Dichloroethylene (Phase I)
cis-1,2-Dichloroethylene (Phase I)
trans-1,2-Dichloroethylene (Phase II)
Tetrachloroethylene (Phase II)
1,1,1-Trichloroethylene (Phase I)
Trichloroethylene (Phase I)

- B) The supplier shall sample quarterly for vinyl chloride at each sampling point at which it detected one or more of the two-carbon contaminants listed in subsection (k)(5)(A).

- C) The Agency shall grant a SEP pursuant to Section 611.110 that allows the supplier to reduce the monitoring frequency for vinyl chloride at any sampling point to once in each three-year compliance period if it determines that the supplier has not detected vinyl chloride in first sample required by

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subsection (k)(5)(B).

- 1) Quarterly monitoring following MCL violations.
- 1) Suppliers that violate an MCL for one of the Phase I VOCs, including vinyl chloride, or Phase II VOCs, as determined by subsection (o), shall monitor quarterly for that contaminant, at the sampling point where the violation occurred, beginning the next quarter after the violation.
- 2) Annual monitoring.
- A) The Agency shall grant a SEP pursuant to Section 611.110 that allows a supplier to reduce the monitoring frequency to annually if it determines that the sampling point is reliably and consistently below the MCL.
- B) A request for a SEP must include the following minimal information: four quarterly samples.
- C) In issuing a SEP, the Agency shall specify the level of the contaminant upon which the "reliably and consistently" determination was based. All SEPs that allow less frequent monitoring based on an Agency "reliably and consistently" determination shall include a condition requiring the supplier to resume quarterly monitoring pursuant to subsection (1)(1) if it violates the MCL specified by Section 611.311.
- D) The supplier shall monitor during the quarter(s) that previously yielded the highest analytical result.
- m) Confirmation samples. The Agency may issue a SEP pursuant to Section 610.110 to require a supplier to use a confirmation sample for results that it finds dubious for whatever reason. The Agency must state its reasons for issuing the SEP if the SEP is Agency-initiated.
- 1) If a supplier detects any of the Phase I VOCs or Phase II VOCs in a sample, the supplier shall take a confirmation sample as soon as possible, but no later than 14 days after the supplier receives notice of the detection.
- 2) Averaging is as specified in subsection (o).
- 3) The Agency shall delete the original or confirmation sample if it determines that a sampling error occurred, in which case the confirmation sample will replace the original or confirmation sample.
- n) This subsection corresponds with 40 CFR 141.24(f)(14), an optional USEPA provision relating to compositing of samples that USEPA does not require for state programs. This statement maintains structural consistency with USEPA rules.
- o) Compliance with the MCLs for the Phase I VOCs and Phase II VOCs must be determined based on the analytical results obtained at

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each sampling point.

- 1) For suppliers that conduct monitoring at a frequency greater than annual, compliance is determined by a running annual average of all samples taken at each sampling point.
- A) If the annual average of any sampling point is greater than the MCL, then the supplier is out of compliance.
- B) If the initial sample or a subsequent sample would cause the annual average to exceed the MCL, then the supplier is out of compliance immediately.
- C) Any samples below the detection limit shall be deemed as zero for purposes of determining the annual average.
- 2) If monitoring is conducted annually, or less frequently, the supplier is out of compliance if the level of a contaminant at any sampling point is greater than the MCL. If a confirmation sample is taken, the determination of compliance is based on the average of two samples.
- 3) Public notice for a supplier out of compliance is governed by Subpart T.
- p) Analyses for the Phase I VOCs and Phase II VOCs must be conducted using the following methods. These methods are contained in Organic Methods, incorporated by reference in Section 611.102:
- 1) Method 502.1, "Volatile Halogenated Organic Chemicals in Water by Purge and Trap Gas Chromatography."
- 2) Method 502.2, "Volatile Organic Compounds in Water by Purge and Trap Capillary Column Gas Chromatography with Photoionization and Electrolytic Conductivity Detectors in Series."
- 3) Method 503.1, "Volatile Aromatic and Unsaturated Organic Compounds in Water by Purge and Trap Gas Chromatography."
- 4) Method 524.1, "Measurement of Purgeable Organic Compounds in Water by Purged Column Gas Chromatography/Mass Spectrometry."
- 5) Method 524.2, "Measurement of Purgeable Organic Compounds in Water by Capillary Column Gas Chromatography/Mass Spectrometry."
- q) Analysis under this Section must only be conducted by laboratories that have received approval by USEPA or the Agency according to the following conditions:
- 1) To receive conditional approval to conduct analyses for the Phase I VOCs, excluding vinyl chloride, and Phase II VOCs the laboratory must:
- A) Analyze performance evaluation samples that include

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these substances provided by the Agency pursuant to 35 Ill. Adm. Code 183.125(c);

- B) Achieve the quantitative acceptance limits under subsections (q)(1)(C) and (D) for at least 80 percent of the Phase I VOCs, excluding vinyl chloride, or Phase II VOCs, except vinyl chloride;
- C) Achieve quantitative results on the analyses performed under subsection (q)(1)(A) that are within ± 20 percent of the actual amount of the substances in the performance evaluation sample when the actual amount is greater than or equal to 0.010 mg/L;
- D) Achieve quantitative results on the analyses performed under subsection (q)(1)(A) that are within ± 40 percent of the actual amount of the substances in the performance evaluation sample when the actual amount is less than 0.010 mg/L; and
- E) Achieve a method detection limit of 0.0005 mg/L, according to the procedures in 40 CFR 136, appendix B, incorporated by reference in Section 611.102.

- 2) To receive conditional approval to conduct analyses for vinyl chloride the laboratory must:

- A) Analyze performance evaluation samples provided by the Agency pursuant to 35 Ill. Adm. Code 183.125(c);
- B) Achieve quantitative results on the analyses performed under subsection (q)(2)(A) that are within ± 40 percent of the actual amount of vinyl chloride in the performance evaluation sample;
- C) Achieve a method detection limit of 0.0005 mg/L, according to the procedures in 40 CFR 136, appendix B, incorporated by reference in Section 611.102; and
- D) Obtain certification pursuant to subsection (q)(1) for Phase I VOCs, excluding vinyl chloride, and Phase II VOCs.

- 1) Use of existing data.

- 1) The Agency shall allow the use of data collected after January 1, 1988 but prior to the effective date of this Section, pursuant to Agency sample request letters, if it determines that the data are generally consistent with the requirements of this Section.

- 2) The Agency shall grant a SEP pursuant to Section 611.110 that allows a supplier to monitor annually beginning January 1, 1993 if it determines that the supplier did not detect any Phase I VOC or Phase II VOC using existing data allowed pursuant to subsection (r)(1).

- a) The Agency shall, by SEP, increase the number of sampling points

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or the frequency of monitoring if it determines that it is necessary to detect variations within the FWS.

- t) Each laboratory approved for the analysis of Phase I VOCs or Phase II VOCs pursuant to subsection (q)(1) or (q)(2) shall:

- 1) Determine the method detection limit (MDL), as defined in 40 CFR 136, Appendix B, incorporated by reference in Section 611.102, at which it is capable of detecting the Phase I VOCs and Phase II VOCs; and,
- 2) Achieve an MDL for each Phase I VOC and Phase II VOC that is less than or equal to 0.0005 mg/L.

- u) Each supplier shall monitor, within each compliance period, at the time designated by the Agency by SEP pursuant to Section 611.110.

BOARD NOTE: Derived from 40 CFR 141.24(f) (1991).

(Source: Added at 16 Ill. Reg. 19010, effective December 1, 1992)

Section 611.6487 Sampling for Volatile Organic Contaminants

For systems in operation before January 1, 1993, for purposes of initial monitoring, analysis of the VOCs listed in Section 611.311, Phase I VOCs for purposes of determining compliance with the MCLs must be conducted as follows:

- a) CWS or NTNCWS suppliers using groundwater sources shall sample at entry points of entry to the distribution system representative of each well after any application of treatment. Sampling must be conducted at the same location(s) or more representative location(s) every three months for one year except as provided in subsection (h)(1).
- b) CWS or NTNCWS and mixed system suppliers using surface sources shall sample at points in the distribution system representative of each source or at entry points to the distribution system after any application of treatment. SWS and mixed system suppliers shall sample each source every three months except as provided in subsection (h)(2). Sampling must be conducted at the same location or a more representative location each quarter.
- c) If the CWS or NTNCWS system draws water from more than one source and sources are combined before distribution, the supplier shall sample at an entry point to the distribution system during periods of normal operating conditions.
- d) Time for sampling.
 - 1) All CWS and NTNCWS suppliers serving more than 3,300 people shall analyze all distribution or entry-point samples, as appropriate, representing all source waters.
 - 2) All other CWS and NTNCWS suppliers shall analyze distribution or entry-point samples, as required in this paragraph, representing all source waters beginning no later than January 1, 1991.

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- e) If the results exceed the MCL, the CWS or ~~NOT~~SWNTCWS supplier shall initiate three additional analyses at the same sampling point within one month. The sample results must be averaged with the first sampling result and used for compliance determination in accordance with subsection (i). The Agency shall delete results of obvious sampling errors from this calculation.
- f) Analysis for vinyl chloride is required only for GWSs that have detected one or more of the following two-carbon organic compounds: Trichloroethylene, tetrachloroethylene, 1,2-dichloroethane, 1,1,1-trichloroethane, cis-1,2-dichloroethylene, trans-1,2-dichloroethylene or 1,1-dichloroethylene. The analysis for vinyl chloride is required at each distribution or entry point at which one or more of the two-carbon organic compounds were found. If the first analysis does not detect vinyl chloride, the Agency shall reduce the frequency of vinyl chloride monitoring to once every three years for that sample location or other sample locations ~~where~~ that are more representative of the same source.
- g) The Agency or suppliers may composite up to five samples from one or more suppliers. Compositing of samples is to be done in the laboratory by the procedures listed below. Samples must be analyzed within fourteen days of collection. If any ~~VOC~~ listed in ~~Section 611-311~~ of the Phase I VOCs is detected in the original composite sample, a sample from each source that made up the composite sample must be reanalyzed individually within fourteen days from sampling. The sample for reanalysis cannot be the original sample but can be a duplicate sample. If duplicates of the original samples are not available, new samples must be taken from each source used in the original composite and analyzed for ~~the~~ Phase I VOCs. Reanalysis must be accomplished within fourteen days of the second sample. To composite samples, the following procedure must be followed:
- 1) Compositing samples prior to GC analysis.
 - A) Add 5 ml or equal larger amounts of each sample (up to 5 samples are allowed) to a 25 ml glass syringe. Special precautions must be made to maintain zero headspace in the syringe.
 - B) The samples must be cooled at ~~4 degrees~~ C during this step to minimize volatilization losses.
 - C) Mix well and draw out a 5-ml aliquot for analysis.
 - D) Follow sample introduction, purging and desorption steps described in the method.
 - E) If less than five samples are used for compositing, a proportionately smaller syringe may be used.
 - 2) Compositing samples prior to GC/MS analysis.
 - A) Inject 5-ml or equal larger amounts of each aqueous sample (up to 5 samples are allowed) into a 25-ml purging device using the sample introduction technique described in the method.

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- B) The total volume of the sample in the purging device must be 25 ml.
- C) Purge and desorb as described in the method.
- h) Until January 1, 1993, ~~the~~ Agency shall, by ~~special exception permit~~SEP, reduce the monitoring frequency specified in subsections (a) and (b) if it makes the following determinations:
- 1) The monitoring frequency for GWSs is as follows:
 - A) ~~When VOCs are not~~If none of the Phase I VOCs are detected in the first sample (or any subsequent samples that may be taken and the CWS is not vulnerable as defined in subsection (h)(4), monitoring must be reduced to one sample and must be repeated every 5 years.
 - B) ~~When VOCs are not~~If none of the Phase I VOCs are detected in the first sample (or any subsequent sample that may be taken) and the CWS is vulnerable as defined in subsection (h)(4):
 - i) Monitoring one sample must be repeated every 3 years for CWSs with more than 500 connections.
 - ii) Monitoring one sample must be repeated every 5 years for CWSs with ~~less than~~ 500 or fewer connections.
 - C) ~~If VOCs are not~~If one of the Phase I VOCs is detected in the first sample (or any subsequent sample that may be taken) regardless of vulnerability, monitoring must be repeated every 3 months, as required under subsection (a).
 - 2) The repeat monitoring frequency for SWSs and mixed systems is as follows:
 - A) ~~When VOCs are not~~If none of the Phase I VOCs is detected in the first year of quarterly sampling (or any other subsequent sample that may be taken) and the CWS is not vulnerable as defined in subsection (h)(4), additional monitoring is not required.
 - B) ~~When VOCs are not~~If none of the Phase I VOCs is detected in the first year of quarterly sampling (or any other subsequent sample that may be taken) and the CWS is vulnerable as defined in subsection (h)(4):
 - i) Monitoring must be repeated every three years (for CWS with more than 500 connections).
 - ii) Monitoring must be repeated every five years (for CWS with ~~less than~~ 500 or fewer connections).
 - C) ~~When VOCs are not~~If one of the Phase I VOCs is detected in

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the first year of quarterly sampling (or any other subsequent sample that may be taken), regardless of vulnerability, monitoring must be repeated every 3 months, as required under subsection (b).

3) The Agency shall, by ~~special exception permit~~SEP, reduce the frequency of monitoring to once per year for a CWS or SMS ~~detecting~~ ~~which~~ detects one of the Phase I VOCs at levels consistently less than the MCL for three consecutive years, unless the levels are increasing.

4) The Agency shall, by ~~special exception permit~~SEP, determine the vulnerability of each CWS based upon an assessment of the following factors:

- A) Previous monitoring results.
 - B) Number of persons served by CWS.
 - C) Proximity of a smaller CWS to a larger CWS.
 - D) Proximity to commercial or industrial use, disposal or storage of the ~~source listed in Section 611.311(a)~~ Phase I VOCs.
 - E) Protection of the water source.
- 5) A CWS is deemed to be vulnerable for a period of three years after any positive measurement of one or more contaminants listed in Sections 611.650(e), 611.657(d) or 611.311(a), except for THMs or other demonstrated disinfection by-products.

i) Compliance with Section 611.311(a) is determined based on the results of running annual average of quarterly sampling for each sampling location. If one location's average is greater than the MCL, then the CWS or NTN/CWS is deemed to be out of compliance. If a CWS or NTN/CWS has a distribution system separable from other parts of the distribution system with no interconnections, only that part of the system that exceeds any MCL as specified in Section 611.311(a) is deemed out of compliance. The Agency shall, by ~~special exception permit~~SEP, reduce the public notice requirement to that portion of the CWS ~~which~~ that is out of compliance. If any one sample result would cause the annual average to be exceeded, then the CWS is deemed to be out of compliance immediately. For CWS suppliers that only take one sample per location because ~~no~~ one of the Phase I VOCs were detected, compliance is based on that one sample.

j) Analysis under this Section must be conducted using the following methods or alternatives approved pursuant to Section 611.480. These methods are contained in Organic Methods, incorporated by reference in Section 611.102:

- 1) Method 502.1.
- 2) Method 503.1.

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- 3) Method 524.1.
- 4) Method 524.2.
- 5) Method 502.2.

k) Analysis under this Section must only be conducted by laboratories that have received conditional approval by the Agency, pursuant to Section 611.490, according to the following conditions:

- 1) To receive conditional approval to conduct analyses for ~~benzene, vinyl chloride, carbon tetrachloride, 1,2-dichloroethane, trichloroethylene, 1,1-dichloroethylene, 1,1,1-trichloroethane and para-dichlorobenzene~~ the Phase I VOCs, except vinyl chloride, the laboratory shall:
 - A) Analyze performance evaluation samples ~~which~~ that include these substances provided by the Agency pursuant to 35 Ill. Adm. Code 183.125(c)(3).
 - B) Achieve the quantitative acceptance limits under subsection (k)(1)(C) or (D) for at least six of the ~~seven subject organic chemical~~Phase I VOCs, except vinyl chloride.
 - C) Achieve quantitative results on the analyses performed under subsection (k)(1)(A) that are within ~~1/2~~ 20 percent of the actual amount of the substances in the performance evaluation sample when the actual amount is greater than or equal to 0.010 mg/L.
 - D) Achieve quantitative results on the analyses performed under subsection (k)(1)(A) that are within ~~1/2~~ 40 percent of the actual amount of the substances in the performance evaluation sample when the actual amount is less than 0.010 mg/L.
 - E) Achieve a method detection limit of 0.0005 mg/L, according to the procedures in 40 CFR 136, App. B, incorporated by reference in Section 611.102.
 - F) Be currently approved by the Agency for the analyses of THMs under Subpart P.
- 2) To receive conditional approval for vinyl chloride, the laboratory shall:
 - A) Analyze performance evaluation samples provided by the Agency. (See 35 Ill. Adm. Code 183.125(c)(3).)
 - B) Achieve quantitative results on the analyses performed under subsection (k)(2)(A) that are within ~~1/2~~ 40 percent of the actual amount of vinyl chloride in the performance evaluation sample.
 - C) Achieve a method detection limit of 0.0005 mg/L, according to the procedures in 40 CFR 136, App. B, incorporated by reference in Section 611.102.

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- D) Receive approval or be currently approved by the Agency under subsection (k)(1).

m1) The Agency shall, by ~~special exception permit~~ SEP, increase required monitoring where it determines that it is necessary to do so to detect variations within the CWS.

m2) ~~See Section 611.106(e)~~ This subsection corresponds with 40 CFR 141.24(g)(14), an optional USEPA provision relating to compositing of samples that USEPA does not require for state programs. This statement maintains structural consistency with USEPA rules.

- o) Each approved laboratory shall determine the method detection limit (MDL), as defined in 40 CFR 136, App. B, incorporated by reference in Section 611.102, at which it is capable of detecting ~~each of the Phase I VOCs. The acceptable MDL is 0.0005 mg/L. This concentration is the detection level for purposes of subsections (e), (f), (g) and (h).~~

BOARD NOTE: Derived from 40 CFR 141.24(g) (1989).

(Source: Section 611.648 renumbered to Section 611.647 and amended at 16 Ill. Reg. 19010, effective December 1, 1992.)

Section 611.648 Phase II Synthetic Organic Contaminants

Analysis of the Phase II SOCs for the purposes of determining compliance with the MCL must be conducted as follows:

- a) Definitions. As used in this Section:

"Detect or detection" means that the contaminant of interest is present at a level greater than or equal to the "detection limit".

"Detection limit" means the level of the contaminant of interest that is specified in subsection (r).

BOARD NOTE: This is a "trigger level" for Phase II SOCs inasmuch as it prompts further action. The use of the term "detect" or "detection" in this section is not intended to include any analytical capability of quantifying lower levels of any contaminant, or the "method detection limit".

- b) Required sampling. Each supplier shall take a minimum of one sample at each sampling point at the times required in subsection (g).

- c) Sampling points.

- 1) Sampling points for CWSs. Unless otherwise provided by SEP, a CWS supplier shall take at least one sample from each of the following points: each entry point that is representative of each well after treatment.

- 2) Sampling points for SWSs and mixed systems. Unless otherwise provided by SEP, a SWS or mixed system supplier shall sample from each of the following points:

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- A) Each entry point after treatment; or
B) Points in the distribution system that are representative of each source.

- 3) The supplier shall take each sample at the same sampling point unless the Agency has granted a SEP that designates another location as more representative of each source, treatment plant, or within the distribution system.

- 4) If a system draws water from more than one source, and the sources are combined before distribution, the supplier shall sample at an entry point during periods of normal operating conditions when water is representative of all sources being used.

BOARD NOTE: Subsections (b) and (c) derived from 40 CFR 141.24(h)(1) through (h)(3) (1991).

- d) Monitoring frequency:

- 1) Each CWS and NTNCS supplier shall take four consecutive quarterly samples for each of the Phase II SOCs during each compliance period, beginning in the three-year compliance period starting January 1, 1993.

- 2) Suppliers serving more than 3,300 persons that do not detect a contaminant in the initial compliance period, shall take a minimum of two quarterly samples in one year of each subsequent three-year compliance period.

- 3) Suppliers serving less than or equal to 3,300 persons that do not detect a contaminant in the initial compliance period, shall take a minimum of one sample during each subsequent three-year compliance period.

- e) Reduction to annual monitoring frequency. A CWS or NTNCS supplier may apply to the Agency for a SEP that releases it from the requirements of subsection (d). A SEP from the requirement of subsection (d) shall last for only a single three-year compliance period.

- f) Vulnerability Assessment. The Agency shall grant a SEP from the requirements of subsection (d) based on consideration of the factors set forth at Section 611.110(e).

- g) If one of the Phase II SOCs is detected in any sample, then:

- 1) The supplier shall monitor quarterly for the contaminant at each sampling point that resulted in a detection.

- 2) Annual monitoring.

- A) A supplier may request that the Agency grant a SEP pursuant to Section 610.110 that reduces the monitoring frequency to annual.

- B) A request for a SEP must include the following minimal

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information:

- i) For a GWS, two quarterly samples.
 - ii) For a SWS or mixed system, four quarterly samples.
- C) The Agency shall grant a SEP that allows annual monitoring at a sampling point if it determines that the sampling point is reliably and consistently below the MCL.
- D) In issuing the SEP, the Agency shall specify the level of the contaminant upon which the "reliably and consistently" determination was based. All SEPs that allow less frequent monitoring based on an Agency "reliably and consistently" determination shall include a condition requiring the supplier to resume quarterly monitoring pursuant to subsection (g)(1) if it detects any Phase II SOC.
- 3) Suppliers that monitor annually shall monitor during the quarter(s) that previously yielded the highest analytical result.
- 4) Suppliers that have three consecutive annual samples with no detection of a contaminant at a sampling point may apply to the Agency for a SEP with respect to that point, as specified in subsections (e) and (f).
- 5) Monitoring for related contaminants.
- A) If monitoring results in detection of one or more of the related contaminants listed in subsection (g)(5)(B), subsequent monitoring shall analyze for all the related compounds in the respective group.
- B) Related contaminants:
- i) first group:
 - aldicarb
 - aldicarb sulfone
 - aldicarb sulfoxide
 - ii) second group:
 - heptachlor
 - heptachlor epoxide.
- Quarterly monitoring following MCL violations.
- h) Suppliers that violate an MCL for one of the Phase II SOCs, as determined by subsection (k), shall monitor quarterly for that contaminant at the sampling point where the violation occurred, beginning the next quarter after the violation.
- 2) Annual monitoring.

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- A) A supplier may request that the Agency grant a SEP pursuant to Section 611.110 that reduces the monitoring frequency to annual.
 - B) A request for a SEP must include, at a minimum, the results from four quarterly samples.
 - C) The Agency shall grant a SEP that allows annual monitoring at a sampling point if it determines that the sampling point is reliably and consistently below the MCL.
 - D) In issuing the SEP, the Agency shall specify the level of the contaminant upon which the "reliably and consistently" determination was based. All SEPs that allow less frequent monitoring based on an Agency "reliably and consistently" determination shall include a condition requiring the supplier to resume quarterly monitoring pursuant to subsection (h)(1) if it detects any Phase II SOC.
 - E) The supplier shall monitor during the quarter(s) that previously yielded the highest analytical result.
- i) Confirmation samples.
- 1) If any of the Phase II SOCs are detected in a sample, the supplier shall take a confirmation sample as soon as possible, but no later than 14 days after the supplier receives notice of the detection.
 - 2) Averaging is as specified in subsection (k).
 - 3) The Agency shall delete the original or confirmation sample if it determines that a sampling error occurred, in which case the confirmation sample will replace the original or confirmation sample.
- j) This subsection corresponds with 40 CFR 141.24(h)(10), an optional USEPA provision relating to compositing of samples that USEPA does not require for state programs. This statement maintains structural consistency with USEPA rules.
- k) Compliance with the MCLs for the Phase II SOCs shall be determined based on the analytical results obtained at each sampling point.
- 1) For suppliers that are conducting monitoring at a frequency greater than annual, compliance is determined by a running annual average of all samples taken at each sampling point.
 - A) If the annual average of any sampling point is greater than the MCL, then the supplier is out of compliance.
 - B) If the initial sample or a subsequent sample would cause the annual average to be exceeded, then the supplier is out of compliance immediately.
 - C) Any samples below the detection limit must be

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calculated as zero for purposes of determining the annual average.

- 2) If monitoring is conducted annually or less frequently, the supplier is out of compliance if the level of a contaminant at any sampling point is greater than the MCL. If a confirmation sample is taken, the determination of compliance is based on the average of two samples.
 - 3) Public notice for a supplier out of compliance is governed by Subpart F.
- BOARD NOTE: Derived from 40 CFR 141.24(h)(11) (1991).
- 1) Analysis for Phase II SOCs must be conducted using the following methods. These methods are contained in Methods for the Determination of Organic Compounds in Drinking Water, incorporated by reference in Section 611.102.
 - 1) Method 504, "1,2-Dibromoethane (EDB) and 1,2-Dibromo-3-chloropropane (DBCP) in Water by Microextraction and Gas Chromatography." Method 504 can be used to measure 1,2-Dibromo-3-chloropropane (dibromochloropropane or DBCP) and 1,2-Dibromoethane (ethylene dibromide or EDB).
 - 2) Method 505, "Analysis of Organohalide Pesticides and Commercial Polychlorinated Biphenyl Products (Aroclors) in Water by Microextraction and Gas Chromatography." Method 505 can be used to measure alachlor, atrazine, chlordane, DDT, dieldrin, endrin, heptachlor, heptachlor epoxide, lindane, methoxychlor, and toxaphene. Method 505 can be used as a screen for PCBs.
 - 3) Method 507, "Determination of Nitrogen- and Phosphorus-Containing Pesticides in Ground Water by Gas Chromatography with a Nitrogen-Phosphorus Detector." Method 507 can be used to measure alachlor and atrazine.
 - 4) Method 508, "Determination of Chlorinated Pesticides in Water by Gas Chromatography with an Electron Capture Detector." Method 508 can be used to measure chlordane, DDT, dieldrin, endrin, heptachlor, heptachlor epoxide, lindane, methoxychlor, and toxaphene. Method 508 can be used as a screen for PCBs.
 - 5) Method 508A, "Screening for Polychlorinated Biphenyls by Perchlorination and Gas Chromatography." Method 508A is used to quantitate PCBs as decachlorobiphenyl if detected in Methods 505 or 508.
 - 6) Method 515.1, revision 5.0 (May, 1991), "Determination of Chlorinated Acids in Water by Gas Chromatography with an Electron Capture Detector." Method 515.1 can be used to measure 2,4-D, 2,4,5-Tp (Silvex) and pentachlorophenol.
 - 7) Method 525.1, revision 3.0 (May, 1991), "Determination of Organic Compounds in Drinking Water by Liquid-Solid Extraction and Capillary Column Gas Chromatography/Mass

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Spectrometry." Method 525 can be used to measure alachlor, atrazine, chlordane, heptachlor, heptachlor epoxide, lindane, methoxychlor, and pentachlorophenol.

- 8) Method 531.1, "Measurement of N-Methyl Carbamoyloximes and N-Methyl Carbamates in Water by Direct Aqueous Injection HPLC with Post-Column Derivatization." Method 531.1 can be used to measure aldicarb, aldicarb sulfoxide, aldicarb sulfone, and carbofuran.
 - m) Analysis for PCBs must be conducted as follows:
 - 1) Each supplier that monitors for PCBs shall analyze each sample using either Method 505 or Method 508.
 - 2) If PCBs are detected in any sample analyzed using Methods 505 or 508, the supplier shall reanalyze the sample using Method 508A to quantitate the individual Aroclors (as decachlorobiphenyl).
 - 3) Compliance with the PCB MCL must be determined based upon the quantitative results of analyses using Method 508A.
 - n) Use of existing data.
 - 1) The Agency shall allow the use of data collected after January 1, 1990 but prior to the effective date of this Section, pursuant to Agency sample request letters, if it determines that the data are generally consistent with the requirements of this Section.
 - 2) The Agency shall grant a SEP pursuant to Section 611.110 that allows a supplier to monitor annually beginning January 1, 1993 if it determines that the supplier did not detect any Phase I VOC or Phase II VOC using existing data allowed pursuant to subsection (n)(1).
 - o) The Agency shall issue a SEP that increases the number of sampling points or the frequency of monitoring if it determines that this is necessary to detect variations within the PWS due to such factors as fluctuations in contaminant concentration due to seasonal use or changes in the water source.
- BOARD NOTE: At 40 CFR 141.24(h)(15), USEPA uses the stated factors as non-limiting examples of circumstances that make additional monitoring necessary.
- p) This subsection corresponds with 40 CFR 141.24(h)(16), a USEPA provision that the Board has not adopted because it reserves enforcement authority to the state and would serve no useful function as part of the state's rules. This statement maintains structural consistency with USEPA rules.
 - q) Each supplier shall monitor, within each compliance period, at the time designated by the Agency by SEP pursuant to Section 611.110.
 - r) "Detection" means greater than or equal to the following concentrations for each contaminant:

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1) for PCBs (Aroclors):

Aroclor	Detection Limit (mg/L)
1016	0.00008
1221	0.02
1232	0.0005
1242	0.0003
1248	0.0001
1254	0.0001
1260	0.0002

2) for other Phase II SOCs:

Contaminant	Detection Limit (mg/L)
Alachlor	0.0002
Aldicarb	0.0005
Aldicarb sulfide	0.0005
Atrazine	0.0008
Carbofuran	0.0001
Chlordane	0.0009
Dibromochloropropane (DBCP)	0.0002
2,4-D	0.0002
Ethylene dibromide (EDB)	0.0001
Heptachlor	0.0004
Heptachlor epoxide	0.0002
Lindane	0.0002
Methoxychlor	0.0001
Polychlorinated biphenyls (PCBs)	0.0001
(as decachlorobiphenyl)	0.0004
Pentachlorophenol	0.001
Toxaphene	0.0002
2,4,5-TP (Silvex)	0.0002

BOARD NOTE: Derived from 40 CFR 141.24(h) (1991).

a) Laboratory Certification.

- 1) Analyses under this Section must only be conducted by laboratories that have received approval by USEPA or the Agency according to the following conditions.

- 2) To receive certification to conduct analyses for the Phase II SOCs the laboratory must:

- Analyze performance evaluation samples provided by the Agency pursuant to 35 Ill. Adm. Code 183.125(c) that include these substances; and
- Achieve quantitative results on the analyses performed under subsection (b)(2)(A) that are within the acceptance limits set forth in subsection (a)(2)(C).
- Acceptance limits:

SOC	Acceptance Limits
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Alachlor	± 45%
Aldicarb	2 standard deviations
Aldicarb sulfide	2 standard deviations
Atrazine	2 standard deviations
Carbofuran	± 45%
Chlordane	± 45%
Dibromochloropropane (DBCP)	± 40%
Ethylene dibromide (EDB)	± 40%
Heptachlor	± 45%
Heptachlor epoxide	± 45%
Lindane	± 45%
Methoxychlor	± 45%
PCBs (as Decachlorobiphenyl)	0-200%
Pentachlorophenol	± 50%
Toxaphene	± 45%
2,4,5-TP (Silvex)	± 50%
2,4-D	± 50%

(Source: Section 611.648 renumbered to Section 611.647, new Section 611.648 added at 16 Ill. Reg. 1901Q effective December 1, 1992)

Section 611.650 Monitoring for 36 Contaminants (Repealed)

- a) All CWS and NNCCWS suppliers shall monitor for the contaminants listed in subsection (c) by the following dates:
- 1) Less than 3200 persons served: monitoring to begin no later than January 1, 1991.
 - 2) All others: immediately.

- b) Surface water systems shall sample at points in the distribution system representative of each water source or at entry points to the distribution system after any application of treatment. The minimum number of samples is one year of quarterly samples per water source.

- c) Groundwater systems shall sample at points of entry to the distribution system representative of each well after any application of treatment. The minimum number of samples is one sample per entry point to the distribution system.

- e) CWS and NNCCWS suppliers shall monitor for the following contaminants except as provided in subsection (f):

- 1) Chloroform
- 2) Bromodichloromethane
- 3) Chlorodibromomethane
- 4) Bromoform
- 5) trans-1,2-Dichloroethylene
- 6) Chlorobenzene

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- 7) ~~m-Dichlorobenzene~~
- 8) ~~Dichloromethane~~
- 9) ~~cis-1,2-Dichloroethylene~~
- 10) ~~o-Dichlorobenzene~~
- 11) ~~Dibromomethane~~
- 12) ~~1,1-Dichloropropene~~
- 13) ~~Tetrachloroethylene~~
- 14) ~~Toluene~~
- 15) ~~p-Xylene~~
- 16) ~~o-Xylene~~
- 17) ~~m-Xylene~~
- 18) ~~1,1-Dichloroethane~~
- 19) ~~1,2-Dichloropropane~~
- 20) ~~1,1,2,2-Tetrachloroethane~~
- 21) ~~Ethylbenzene~~
- 22) ~~1,3-Dichloropropane~~
- 23) ~~Styrene~~
- 24) ~~Chloromethane~~
- 25) ~~Bromomethane~~
- 26) ~~1,2,3-Trichloropropane~~
- 27) ~~1,1,1,2-Tetrachloroethane~~
- 28) ~~Chloroethane~~
- 29) ~~1,1,2-Trichloroethane~~
- 30) ~~2,2-Dichloropropane~~
- 31) ~~o-Chlorotoluene~~
- 32) ~~p-Chlorotoluene~~
- 33) ~~Bromobenzene~~
- 34) ~~1,3-Dichloropropene~~
- 35) ~~Ethylene dibromide (EDB)~~

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- 36) ~~1,2-Dibromo-3-chloropropane (DBCP)~~

~~f) CWS and NINOWS suppliers shall monitor for PDB and DBCP only if the Agency or, for non-CWSs, Public Health determines they are vulnerable to contamination by either or both of these substances, for the purpose of this subsection, a "vulnerable system" is defined as a system which is potentially contaminated by PDB and DBCP, including surface water systems where these two compounds are applied, manufactured, stored, disposed of or shipped upstream, and for groundwater systems in areas where the compounds are applied, manufactured, stored, disposed of or shipped in the groundwater recharge basin, or for groundwater systems that are in proximity to underground storage tanks that contain leaded gasoline.~~

~~BOARD NOTE: Derived from 40 CFR 141.40(a) through (f) (1989).~~

~~(Source: Repealed at 16 Ill. Reg. 19010, effective December 1, 1992)~~

~~Section 611.657 Analytical Methods for 36 Contaminants (Repealed)~~

~~a) Analysis under Section 611.650 must be conducted using the following methods found in Organic Methods, incorporated by reference in Section 611.102:~~

- ~~1) Method 502.17~~
- ~~2) Method 503.17~~
- ~~3) Method 524.17~~
- ~~4) Method 524.27~~
- ~~5) Method 502.27 or~~
- ~~6) Method 504.~~

~~b) Analysis under this Section must only be conducted by laboratories approved under Section 611.648(h). In addition to the requirements of that Section, each laboratory analyzing for PDB and DBCP shall achieve a method detection limit for PDB and DBCP of 0.00002 mg/l, according to the procedure in 40 CFR 136. App. B, incorporated by reference in Section 611.102.~~

~~c) Suppliers may use monitoring data collected any time after January 1, 1992 to meet the requirements for unregulated monitoring, provided that the monitoring program was consistent with the requirements of this Section. In addition, PWSs may use monitoring data collected any time after January 1, 1992, provided the monitoring was consistent with this Section.~~

~~d) Instead of performing the monitoring required by this Section, a CWS or NINOWS supplier serving fewer than 150 service connections may send a letter to the Agency or, for non-CWSs, Public Health stating that the PWS is available for sampling. This letter must be sent no later than January 1, 1991. The supplier shall not send such samples to the Agency, unless requested to do so by the Agency.~~

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f) ~~All CWS and NRCWS suppliers shall repeat the monitoring required in Section 611.650 no less frequently than every five years from the dates specified in Section 611.650(a).~~

g) ~~The Agency or suppliers may composite up to five samples when monitoring for substances in Section 611.650(e).~~

~~BOARD NOTE: Derived from 40 CFR 141.40(g-m) (1989).~~

(Source: Repealed at 16 Ill. Reg. 19010, effective December 1, 1993)

Section 611.658 Special Monitoring for Organic Chemicals

Section 611.510 sets forth requirements for the special monitoring for unregulated organic contaminants.

(Source: Added at 16 Ill. Reg. 19010, effective December 1, 1993)

SUBPART T: REPORTING, PUBLIC NOTIFICATION AND RECORDKEEPING

Section 611.851 Reporting MCL and other Violations

A supplier ~~which~~ fails to comply with an applicable MCL or treatment technique established by this Part or which fails to comply with the requirements of any schedule prescribed pursuant to a variance or adjusted standard shall notify persons served by the PWS as follows:

- a) Except as provided in subsection (c), the supplier shall give notice:
 - 1) By publication in a daily newspaper of general circulation in the area served by the PWS as soon as possible, but in no case later than 14 days after the violation or failure. If the area served by a PWS is not served by a daily newspaper of general circulation, notice must instead be given by publication in a weekly newspaper of general circulation serving the area; and
 - 2) By mail delivery (by direct mail or with the water bill), or by hand delivery, not later than 45 days after the violation or failure. This is not required if the Agency determines by special exception permit that the PWS supplier in violation has corrected the violation or failure within the 45-day period; and
 - 3) For violations of the MCLs of contaminants that pose an acute risk to human health, by furnishing a copy of the notice to the radio and television stations serving the area served by the PWS as soon as possible but in no case later than 72 hours after the violation. The following violations are acute violations:
 - A) Any violations posing an acute risk to human health, as specified in this Part or as determined by the Agency on a case-by-case basis.
 - B) Violation of the MCL for nitrate or nitrite in Section 611.306(b)(1).

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C) Violation of the MCL for total coliforms, when fecal coliforms or E. coli are present in the water distribution system, as specified in Section 611.325(b).

D) Occurrence of a waterborne disease outbreak.

b) Except as provided in subsection (c), following the initial notice given under subsection (a), the supplier shall give notice at least once every three months by mail delivery (by direct mail or with the water bill) or by hand delivery, for as long as the violation or failure exists.

c) Alternative methods of notice.

1) In lieu of the requirements of subsections (a) and (b), a CWS supplier in an area that is not served by a daily or weekly newspaper of general circulation shall give notice by hand delivery or by continuous posting in conspicuous places within the area served by the CWS. Notice by hand delivery or posting must begin as soon as possible, but no later than 72 hours after the violation or failure for acute violations (as defined in subsection (a)(3)) or 14 days after the violation or failure (for any other violation). Posting must continue for as long as the violation or failure exists. Notice by hand delivery must be repeated at least every three months for as long as the violation or failure exists.

2) In lieu of the requirements of subsections (a) and (b), a non-CWS supplier may give notice by hand delivery or by continuous posting in conspicuous places within the area served by the non-CWS. Notice by hand delivery or posting must begin as soon as possible, but no later than 72 hours after the violation or failure for acute violations (as defined in subsection (a)(3)), or 14 days after the violation or failure (for any other violation). Posting must continue for as long as the violation or failure exists. Notice by hand delivery must be repeated at least every three months for as long as the violation or failure exists.

BOARD NOTE: Derived from 40 CFR 141.32(a) (1989), as amended at 54 Fed. Reg. 27526, June 29, 1989, and at 54 Fed. Reg. 27562, June 29, 1989.

(Source: Amended at 16 Ill. Reg. 19010 effective December 1, 1992)

Section 611.852 Reporting other Violations

A supplier ~~which~~ fails to perform monitoring required by this Part, which fails to comply with a testing procedure established by this Part, or which is subject to a variance or adjusted standard under Section 611.111, 611.112 or 611.113 shall notify persons served by the PWS as follows:

a) Except as provided in subsection (c) or (d), the supplier shall give notice, within three months of the violation or granting of a variance or adjusted standard, by publication in a daily newspaper

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of general circulation in the area served by the PWS. If the area served by a PWS is not served by a daily newspaper of general circulation, notice must instead be given by publication in a weekly newspaper of general circulation serving the area.

- b) Except as provided in subsection (c) or (d), following the initial notice given under subsection (a), the supplier shall give notice at least once every three months by mail delivery (by direct mail or with the water bill) or by hand delivery, for as long as the violation exists. Repeat notice of the existence of a variance or adjusted standard (Section 611.111 through 611.113) must be given every three months for as long as the variance or adjusted standard remains in effect.

- c) Alternative methods of notice.

- 1) In lieu of the requirements of subsections (a) and (b), a CWS supplier in an area that is not served by a daily or weekly newspaper of general circulation shall give notice, within three months of the violation or granting of the variance or adjusted standard, by hand delivery or by continuous posting in conspicuous places with the area served by the CWS. Posting must continue for as long as the violation exists or a variance or adjusted standard remains in effect. The CWS supplier shall repeat the notice by hand delivery every three months for as long as the variance or adjusted standard remains in effect.

- 2) In lieu of the requirements of subsections (a) and (b), a non-CWS supplier may give notice, within three months of the violation or the granting of the variance or adjusted standard, by hand delivery or by continuous posting in conspicuous places within the area served by the PWS. Posting must continue for as long as the violation exists, or a variance or adjusted standard remains in effect. Notice by hand delivery must be repeated at least every three months for as long as the violation exists or a variance or adjusted standard remains in effect.

BOARD NOTE: Derived from 40 CFR 141.32(b) (1989).

(Source: Amended at 16 Ill. Reg. 19010, effective December 1, 1992.)

Section 611.855 Mandatory Health Effects Language

When providing the information on potential adverse health effects required by Section 611.853-4 in notices of violations of MCLs or treatment technique requirements, or notices of the granting or the continued existence of adjusted standards or variances, or notices of failure to comply with a variance or adjusted standard schedule, the supplier shall include the language specified in Section 611.855. (If for each contaminant. (If language for a particular contaminant is not specified at the time notice is required, this Section does not apply).)

BOARD NOTE: Derived from 40 CFR 141.32(e) (1989), as amended at 54 Fed. Reg. 27526, June 29, 1989, and at 54 Fed. Reg. 27562, June 29, 1989.

(Source: Amended at 16 Ill. Reg. 19010, effective December 1, 1992.)

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Section 611.855 Mandatory Health Effects Information

- 1) Trichloroethylene. The United States Environmental Protection Agency (USEPA) sets drinking water standards and has determined that trichloroethylene is a health concern at certain levels of exposure. This chemical is a common metal cleaning and dry cleaning fluid. It generally gets into drinking water by improper waste disposal. This chemical has been shown to cause cancer in laboratory animals such as rats and mice when the animals are exposed at high levels over their lifetimes. Chemicals that cause cancer in laboratory animals also may increase the risk of cancer in humans who are exposed at lower levels over long periods of time. USEPA has set forth the enforceable drinking water standard for trichloroethylene at 0.005 parts per million (ppm) to reduce the risk of cancer or other adverse health effects which have been observed in laboratory animals. Drinking water which meets this standard is associated with little to none of this risk and should be considered safe.

- 2) Carbon tetrachloride. The United States Environmental Protection Agency (USEPA) sets drinking water standards and has determined that carbon tetrachloride is a health concern at certain levels of exposure. This chemical was once a popular household cleaning fluid. It generally gets into drinking water by improper waste disposal. This chemical has been shown to cause cancer in laboratory animals such as rats and mice when the animals are exposed at high levels over their lifetimes. Chemicals that cause cancer in laboratory animals also may increase the risk of cancer in humans who are exposed at lower levels over long periods of time. USEPA has set the enforceable drinking water standard for carbon tetrachloride at 0.005 parts per million (ppm) to reduce the risk of cancer or other adverse health effects which have been observed in laboratory animals. Drinking water which meets this standard is associated with little to none of this risk and should be considered safe.

- 3) 1,2-Dichloroethane. The United States Environmental Protection Agency (USEPA) sets drinking water standards and has determined that 1,2-dichloroethane is a health concern at certain levels of exposure. This chemical is used as a cleaning fluid for fats, oils, waxes and resins. It generally gets into drinking water by improper waste disposal. This chemical has been shown to cause cancer in laboratory animals such as rats and mice when the animals are exposed at high levels over their lifetimes. Chemicals that cause cancer in laboratory animals also may increase the risk of cancer in humans who are exposed at lower levels over long periods of time. USEPA has set the enforceable drinking water standard for 1,2-dichloroethane at 0.005 parts per million (ppm) to reduce the risk of cancer or other adverse health effects which have been observed in laboratory animals. Drinking water which meets this standard is associated with little to none of this risk and should be considered safe.

- 4) Vinyl chloride. The United States Environmental Protection Agency (USEPA) sets drinking water standards and has determined that vinyl chloride is a health concern at certain levels of exposure. This chemical is used in industry and is found in drinking water as a result of the breakdown of related solvents. The solvents

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are used as cleaners and degreasers of metals and generally get into drinking water by improper waste disposal. This chemical has been associated with significantly increased risks of cancer among certain industrial workers who were exposed to relatively large amounts of this chemical during their working careers. This chemical has also been shown to cause cancer in laboratory animals when the animals are exposed at high levels over their lifetimes. Chemicals that cause increased risk of cancer among exposed industrial workers and in laboratory animals also may increase the risk of cancer in humans who are exposed at lower levels over long periods of time. USEPA has set the enforceable drinking water standard for vinyl chloride at 0.002 parts per million (ppm) to reduce the risk of cancer or other adverse health effects which have been observed in laboratory animals. Drinking water which meets this standard is associated with little to none of this risk and should be considered safe.

5)

Benzene. The United States Environmental Protection Agency (USEPA) sets drinking water standards and has determined that benzene is a health concern at certain levels of exposure. This chemical is used as a solvent and degreaser of metals. It is also a major component of gasoline. Drinking water contamination generally results from leaking underground gasoline and petroleum tanks or improper waste disposal. This chemical has been associated with significantly increased risks of leukemia among certain industrial workers who were exposed to relatively large amounts of this chemical during their working careers. This chemical has also been shown to cause cancer in laboratory animals when the animals are exposed at high levels over their lifetimes. Chemicals that cause increased risk of cancer among exposed industrial workers and in laboratory animals also may increase the risk of cancer in humans who are exposed at lower levels over long periods of time. USEPA has set the enforceable drinking water standard for benzene at 0.005 parts per million (ppm) to reduce the risk of cancer or other adverse health effects which have been observed in humans and laboratory animals. Drinking water which meets this standard is associated with little to none of this risk and should be considered safe.

6)

1,1-Dichloroethylene. The United States Environmental Protection Agency (USEPA) sets drinking water standards and has determined that 1,1-dichloroethylene is a health concern at certain levels of exposure. This chemical is used in industry and is found in drinking water as a result of the breakdown of related solvents. The solvents are used as cleaners and degreasers of metals and generally into drinking water by improper waste disposal. This chemical has been shown to cause liver and kidney damage in laboratory animals such as rats and mice when the animals are exposed at high levels over their lifetimes. Chemicals that cause adverse effects in laboratory animals also may cause adverse health effects in humans who are exposed at lower levels over long periods of time. USEPA has set the enforceable drinking water standard for 1,1-dichloroethylene at 0.007 parts per million (ppm) to reduce the risk of these adverse health effects which have been observed in laboratory animals. Drinking water which meets this standard is associated with little to none of this risk and should be considered safe.

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7) Para-dichlorobenzene. The United States Environmental Protection Agency (USEPA) sets drinking water standards and has determined that para-dichlorobenzene is a health concern at certain levels of exposure. This chemical is a component of deodorizers, moth balls and pesticides. It generally gets into drinking water by improper waste disposal. This chemical has been shown to cause liver and kidney damage in laboratory animals such as rats and mice when the animals are exposed at high levels over their lifetimes. Chemicals which cause adverse effects in laboratory animals also may cause adverse health effects in humans who are exposed at lower levels over long periods of time. USEPA has set the enforceable drinking water standard for para-dichlorobenzene at 0.075 parts per million (ppm) to reduce the risk of these adverse health effects which have been observed in laboratory animals. Drinking water which meets this standard is associated with little to none of this risk and should be considered safe.

8)

1,1,1-Trichloroethane. The United States Environmental Protection Agency (USEPA) sets drinking water standards and has determined that 1,1,1-trichloroethane is a health concern at certain levels of exposure. This chemical is used as a cleaner and degreaser of metals. It generally gets into drinking water by improper waste disposal. This chemical has been shown to damage the liver, nervous system and circulatory system of laboratory animals such as rats and mice when the animals are exposed at high levels over their lifetimes. Some industrial workers who were exposed to relatively large amounts of this chemical during their working careers also suffered damage to the liver, nervous system and circulatory system. Chemicals which cause adverse effects among exposed industrial workers and in laboratory animals also may cause adverse health effects in humans who are exposed at lower levels over long periods of time. USEPA has set the enforceable drinking water standard for 1,1,1-trichloroethane at 0.2 parts per million (ppm) to protect against the risk of these adverse health effects which have been observed in laboratory animals. Drinking water which meets this standard is associated with little to none of this risk and should be considered safe.

BOARD NOTE: Derived from 40 CFR 141.32(e) (1989), as amended at 54 Fed. Reg. 27526, June 29, 1989, and at 54 Fed. Reg. 27562, June 29, 1989.

9)

Fluoride. The U.S. Environmental Protection Agency requires that we send you this notice on the level of fluoride in your drinking water. The drinking water in your community has a fluoride concentration of _____ milligrams per liter (mg/L).

Federal regulations require that fluoride, which occurs naturally in your water supply, not exceed a concentration of 4.0 mg/L in drinking water. This is an enforceable standard called a Maximum Contaminant Level (MCL), and it has been established to protect the public health. Exposure to drinking water levels above 4.0 mg/L for many years may result in some cases of crippling skeletal fluorosis, which is a serious bone disorder.

Federal law also requires that we notify you when monitoring indicates that the fluoride in your drinking water exceeds 2.0 mg/L. This is intended to alert families about dental problems

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that might affect children under nine years of age. The fluoride concentration of your water exceeds this federal guideline.

Fluoride in children's drinking water at levels of approximately 1 mg/L reduces the number of dental cavities. However, some children exposed to levels of fluoride greater than about 2.0 mg/L may develop dental fluorosis. Dental fluorosis, in its moderate and severe forms, is a brown staining and/or pitting of the permanent teeth.

Because dental fluorosis occurs only when developing teeth (before they erupt from the gums) are exposed to elevated fluoride levels, households without children are not expected to be affected by this level of fluoride. Families with children under the age of nine are encouraged to seek other sources of drinking water for their children to avoid the possibility of staining and pitting.

Your water supplier can lower the concentration of fluoride in your water so that you will still receive the benefits of cavity prevention while the possibility of stained and pitted teeth is minimized. Removal of fluoride may increase your water costs. Treatment systems are also commercially available for home use. Information on such systems is available at the address given below. Low fluoride bottled drinking water that would meet all standards is also commercially available.

For further information, contact _____ at your water system.

BOARD NOTE: Derived from 40 CFR 141.32(e)(9) and 143.5 (1989).

Microbiological contaminants (for use when there is a violation of the treatment technique requirements for filtration and disinfection in Subpart B). The United States Environmental Protection Agency (USEPA) sets drinking water standards and has determined that the presence of microbiological contaminants are a health concern at certain levels of exposure. If water is inadequately treated, microbiological contaminants in that water may cause disease. Disease symptoms may include diarrhea, cramps, nausea and possibly jaundice and any associated headaches and fatigue. These symptoms, however, are not just associated with disease-causing organisms in drinking water, but also may be caused by a number of factors other than your drinking water. USEPA has set enforceable requirements for treating drinking water to reduce the risk of these adverse health effects. Treatment such as filtering and disinfecting the water removes or destroys microbiological contaminants. Drinking water which is treated to meet USEPA requirements is associated with little to none of this risk and should be considered safe.

11) Total coliforms. (To be used when there is a violation of Section 611.325(a) and not a violation of Section 611.325(b)). The United States Environmental Protection Agency (USEPA) sets drinking water standards and has determined that the presence of total coliforms is a possible health concern. Total coliforms are common in the environment and are generally not harmful themselves. The presence of these bacteria in drinking water, however, generally is a result of a problem with water treatment or the pipes which distribute the water and indicates that the water may be

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contaminated contaminated with organisms that can cause disease. Disease symptoms may include diarrhea, cramps, nausea and possibly jaundice, and any associated headaches and fatigue. These symptoms, however, are not just associated with disease-causing organisms in drinking water, but also may be caused by a number of factors other than your drinking water. USEPA has set an enforceable drinking water standard for total coliforms to reduce the risk of these adverse health effects. Under this standard, no more than 5.0 percent of the samples collected during a month can contain these bacteria, except that systems collecting fewer than 40 samples/month that have one total coliform-positive sample per month are not violating the standard. Drinking water which meets this standard is usually not associated with a health risk from disease-causing bacteria and should be considered safe.

12) Fecal Coliforms/E. coli. (To be used when there is a violation of Section 611.325(b) or both Section 611.325(a) and (b)). The United States Environmental Protection Agency (USEPA) sets drinking water standards and has determined that the presence of fecal coliforms or E. coli is a serious health concern. Fecal coliforms and E. coli are generally not harmful themselves, but their presence in drinking water is serious because they usually are associated with sewage or animal wastes. The presence of these bacteria in drinking water is generally a result of a problem with water treatment or the pipes which distribute the water and indicates that the water may be contaminated with organisms that can cause disease. Disease symptoms may include diarrhea, cramps, nausea and possibly jaundice, and associated headaches and fatigue. These symptoms, however, are not just associated with disease-causing organisms in drinking water, but also may be caused by a number of factors other than your drinking water. USEPA has set an enforceable drinking water standard for fecal coliforms and E. coli to reduce the risk of these adverse health effects. Under this standard all drinking water samples must be free of these bacteria. Drinking water which meets this standard is associated with little or none of this risk and should be considered safe. State and local health authorities recommend that consumers take the following precautions: [To be inserted by the public water system, according to instruction from state or local authorities].

13) This subsection corresponds with 40 CFR 141.32(e)(13), reserved by USEPA. This statement maintains structural consistency with USEPA rules.

14) This subsection corresponds with 40 CFR 141.32(e)(14), reserved by USEPA. This statement maintains structural consistency with USEPA rules.

15) Asbestos. The United States Environmental Protection Agency (USEPA) sets drinking water standards and has determined that asbestos fibers greater than 10 micrometers in length are a health concern at certain levels of exposure. Asbestos is a naturally occurring mineral. Most asbestos fibers in drinking water are less than 10 micrometers in length and occur in drinking water from natural sources and from corroded asbestos-cement pipes in the distribution system. The major uses of asbestos were in the production of cements, floor tiles, paper products, paint, and

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caulking; in transportation-related applications; and in the production of textiles and plastics. Asbestos was once a popular insulating and fire retardant material. Inhalation studies have shown that various forms of asbestos have produced lung tumors in laboratory animals. The available information on the risk of developing gastrointestinal tract cancer associated with the ingestion of asbestos from drinking water is limited. Ingestion of intermediate-range chrysotile asbestos fibers greater than 10 micrometers in length is associated with causing benign tumors in male rats. Chemicals that cause cancer in laboratory animals also may increase the risk of cancer in humans who are exposed over long periods of time. USEPA has set the drinking water standard for asbestos at 7 million long fibers per liter to reduce the potential risk of cancer or other adverse health effects which have been observed in laboratory animals. Drinking water which meets the USEPA standard is associated with little to none of this risk and should be considered safe with respect to asbestos.

16) This subsection corresponds with 40 CFR 141.32(e)(16), reserved by USEPA. This statement maintains structural consistency with USEPA rules.

17) Cadmium. The United States Environmental Protection Agency (USEPA) sets drinking water standards and has determined that cadmium is a health concern at certain levels of exposure. Food and the smoking of tobacco are common sources of general exposure. This inorganic metal is a contaminant in the metals used to galvanize pipe. It generally gets into water by corrosion of galvanized pipes or by improper waste disposal. This chemical has been shown to damage the kidney in animals such as rats and mice when the animals are exposed at high levels over their lifetimes. Some industrial workers who were exposed to relatively large amounts of this chemical during working careers also suffered damage to the kidney. USEPA has set the drinking water standard for cadmium at 0.005 parts per million (ppm) to protect against the risk of these adverse health effects. Drinking water that meets the USEPA standard is associated with little to none of this risk and is considered safe with respect to cadmium.

18) Chromium. The United States Environmental Protection Agency (USEPA) sets drinking water standards and has determined that chromium is a health concern at certain levels of exposure. This inorganic metal occurs naturally in the ground and is often used in the electroplating of metals. It generally gets into water from runoff from old mining operations and improper waste disposal from plating operations. This chemical has been shown to damage the kidney, nervous system, and the circulatory system of laboratory animals such as rats and mice when the animals are exposed at high levels. Some humans who were exposed to high levels of this chemical suffered liver and kidney damage, dermatitis and respiratory problems. USEPA has set the drinking water standard for chromium at 0.1 parts per million (ppm) to protect against the risk of these adverse health effects. Drinking water that meets the USEPA standard is associated with little to none of this risk and is considered safe with respect to chromium.

19) Mercury. The United States Environmental Protection Agency

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(USEPA) sets drinking water standards and has determined that mercury is a health concern at certain levels of exposure. This inorganic metal is used in electrical equipment and some water pumps. It usually gets into water as a result of improper waste disposal. This chemical has been shown to damage the kidney of laboratory animals such as rats when the animals are exposed at high levels over their lifetimes. USEPA has set the drinking water standard for mercury at 0.002 parts per million (ppm) to protect against the risk of these adverse health effects. Drinking water that meets the USEPA standard is associated with little to none of this risk and is considered safe with respect to mercury.

20)

Nitrate. The United States Environmental Protection Agency (USEPA) sets drinking water standards and has determined that nitrate poses an acute health concern at certain levels of exposure. Nitrate is used in fertilizer and is found in sewage and wastes from human and/or farm animals and generally gets into drinking water from those activities. Excessive levels of nitrate in drinking water have caused serious illness and sometimes death in infants under six months of age. The serious illness in infants is caused because nitrate is converted to nitrite in the body. Nitrite interferes with the oxygen carrying capacity of the child's blood. This is an acute disease in that symptoms can develop rapidly in infants. In most cases, health deteriorates over a period of days. Symptoms include shortness of breath and blueness of the skin. Clearly, expert medical advice should be sought immediately if these symptoms occur. The purpose of this notice is to encourage parents and other responsible parties to provide infants with an alternate source of drinking water. Local and State health authorities are the best source for information concerning alternate sources of drinking water for infants. USEPA has set the drinking water standard at 10 parts per million (ppm) for nitrate to protect against the risk of these adverse effects. USEPA has also set a drinking water standard for nitrite at 1 ppm. To allow for the fact that the toxicity of nitrate and nitrite are additive, USEPA has also established a standard for the sum of nitrate and nitrite at 10 ppm. Drinking water that meets the USEPA standard is associated with little to none of this risk and is considered safe with respect to nitrate.

21)

Nitrite. The United States Environmental Protection Agency (USEPA) sets drinking water standards and has determined that nitrite poses an acute health concern at certain levels of exposure. This inorganic chemical is used in fertilizers and is found in sewage and wastes from humans and/or farm animals and generally gets into drinking water as a result of those activities. While excessive levels of nitrite in drinking water have not been observed, other sources of nitrite have caused serious illness and sometimes death in infants under six months of age. The serious illness in infants is caused because nitrite interferes with the oxygen carrying capacity of the child's blood. This is an acute disease in that symptoms can develop rapidly. However, in most cases, health deteriorates over a period of days. Symptoms include shortness of breath and blueness of the skin. Clearly, expert medical advice should be sought immediately if these symptoms occur. The purpose of this notice is to encourage parents and other responsible parties to provide infants with an

alternate source of drinking water. Local and State health authorities are the best source for information concerning alternate sources of drinking water for infants. USEPA has set the drinking water standard at 1 part per million (ppm) for nitrite to protect against the risk of these adverse effects. USEPA has also set a drinking water standard for nitrate (converted to nitrite in humans) at 10 ppm and for the sum of nitrate and nitrite at 10 ppm. Drinking water that meets the USEPA standard is associated with little to none of this risk and is considered safe with respect to nitrite.

- 22) Selenium. The United States Environmental Protection Agency (USEPA) sets drinking water standards and has determined that selenium is a health concern at certain high levels of exposure. Selenium is also an essential nutrient at low levels of exposure. This inorganic chemical is found naturally in food and soils and is used in electronics, photocopy operations, the manufacture of glass, chemicals, drugs, and as a fungicide and a feed additive. In humans, exposure to high levels of selenium over a long period of time has resulted in a number of adverse health effects, including a loss of feeling and control in the arms and legs. USEPA has set the drinking water standard for selenium at 0.05 parts per million (ppm) to protect against the risk of these adverse health effects. Drinking water that meets the USEPA standard is associated with little to none of this risk and is considered safe with respect to selenium.

- 23) Acrylamide. The United States Environmental Protection Agency (USEPA) sets drinking water standards and has determined that acrylamide is a health concern at certain levels of exposure. Polymers made from acrylamide are sometimes used to treat water supplies to remove particulate contaminants. Acrylamide has been shown to cause cancer in laboratory animals such as rats and mice when the animals are exposed at high levels over their lifetimes. Chemicals that cause cancer in laboratory animals also may increase the risk of cancer in humans who are exposed over long periods of time. Sufficiently large doses of acrylamide are known to cause neurological injury. USEPA has set the drinking water standard for acrylamide using a treatment technique to reduce the risk of cancer or other adverse health effects which have been observed in laboratory animals. This treatment technique limits the amount of acrylamide in the polymer and the amount of the polymer which may be added to drinking water to remove particulates. Drinking water systems which comply with this treatment technique have little to no risk and are considered safe with respect to acrylamide.

- 24) Alachlor. The United States Environmental Protection Agency (USEPA) sets drinking water standards and has determined that alachlor is a health concern at certain levels of exposure. This organic chemical is a widely used pesticide. When soil and climatic conditions are favorable, alachlor may get into drinking water by runoff into surface water or by leaching into ground water. This chemical has been shown to cause cancer in laboratory animals such as rats and mice when the animals are exposed at high levels over their lifetimes. Chemicals that cause cancer in laboratory animals also may increase the risk of cancer in humans who are exposed over long periods of time. USEPA has set the

drinking water standard for alachlor at 0.002 parts per million (ppm) to reduce the risk of cancer or other adverse health effects which have been observed in laboratory animals. Drinking water that meets this standard is associated with little to none of this risk and is considered safe with respect to alachlor.

- 25) USEPA. This subsection corresponds with 40 CFR 141.32(e)(25), reserved by USEPA. This statement maintains structural consistency with USEPA rules.
- 26) This subsection corresponds with 40 CFR 141.32(e)(26), reserved by USEPA. This statement maintains structural consistency with USEPA rules.
- 27) This subsection corresponds with 40 CFR 141.32(e)(27), reserved by USEPA. This statement maintains structural consistency with USEPA rules.

- 28) Atrazine. The United States Environmental Protection Agency (USEPA) sets drinking water standards and has determined that atrazine is a health concern at certain levels of exposure. This organic chemical is a herbicide. When soil and climatic conditions are favorable, atrazine may get into drinking water by runoff into surface water or by leaching into ground water. This chemical has been shown to affect offspring of rats and the heart of dogs. USEPA has set the drinking water standard for atrazine at 0.003 parts per million (ppm) to protect against the risk of these adverse health effects. Drinking water that meets the USEPA standard is associated with little to none of this risk and is considered safe with respect to atrazine.

- 29) Carbofuran. The United States Environmental Protection Agency (USEPA) sets drinking water standards and has determined that carbofuran is a health concern at certain levels of exposure. This organic chemical is a pesticide. When soil and climatic conditions are favorable, carbofuran may get into drinking water by runoff into surface water or by leaching into ground water. This chemical has been shown to damage the nervous and reproductive systems of laboratory animals such as rats and mice exposed at high levels over their lifetimes. Some humans who were exposed to relatively large amounts of this chemical during their working careers also suffered damage to the nervous system. Effects on the nervous system are generally rapidly reversible. USEPA has set the drinking water standard for carbofuran at 0.04 parts per million (ppm) to protect against the risk of these adverse health effects. Drinking water that meets the USEPA standard is associated with little to none of this risk and is considered safe with respect to carbofuran.

- 30) Chlordane. The United States Environmental Protection Agency (USEPA) sets drinking water standards and has determined that chlordane is a health concern at certain levels of exposure. This organic chemical is a pesticide used to control termites. Chlordane is not very mobile in soils. It usually gets into drinking water after application near water supply intakes or wells. This chemical has been shown to cause cancer in laboratory animals such as rats and mice when the animals are exposed at high levels over their lifetimes. Chemicals that cause cancer in

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laboratory animals also may increase the risk of cancer in humans who are exposed over long periods of time. USEPA has set the drinking water standard for chloroethane at 0.002 parts per million (ppm) to reduce the risk of cancer or other adverse health effects which have been observed in laboratory animals. Drinking water that meets the USEPA standard is associated with little to none of this risk and is considered safe with respect to chloroethane.

311 Dibromochloropropane (DBCP). The United States Environmental Protection Agency (USEPA) sets drinking water standards and has determined that DBCP is a health concern at certain levels of exposure. This organic chemical was once a popular pesticide. When soil and climatic conditions are favorable, DBCP may get into drinking water by runoff into surface water or by leaching into ground water. This chemical has been shown to cause cancer in laboratory animals such as rats and mice when the animals are exposed at high levels over their lifetimes. Chemicals that cause cancer in laboratory animals also may increase the risk of cancer in humans who are exposed over long periods of time. USEPA has set the drinking water standard for DBCP at 0.0002 parts per million (ppm) to reduce the risk of cancer or other adverse health effects which have been observed in laboratory animals. Drinking water that meets the USEPA standard is associated with little to none of this risk and is considered safe with respect to DBCP.

321 o-Dichlorobenzene. The United States Environmental Protection Agency (USEPA) sets drinking water standards and has determined that o-dichlorobenzene is a health concern at certain levels of exposure. This organic chemical is used as a solvent in the production of pesticides and dyes. It generally gets into water by improper waste disposal. This chemical has been shown to damage the liver, kidney and the blood cells of laboratory animals such as rats and mice exposed to high levels during their lifetimes. Some industrial workers who were exposed to relatively large amounts of this chemical during working careers also suffered damage to the liver, nervous system, and circulatory system. USEPA has set the drinking water standard for o-dichlorobenzene at 0.6 parts per million (ppm) to protect against the risk of these adverse health effects. Drinking water that meets the USEPA standard is associated with little to none of this risk and is considered safe with respect to o-dichlorobenzene.

331 cis-1,2-Dichloroethylene. The United States Environmental Protection Agency (USEPA) establishes drinking water standards and has determined that cis-1,2-dichloroethylene is a health concern at certain levels of exposure. This organic chemical is used as a solvent and intermediate in chemical production. It generally gets into water by improper waste disposal. This chemical has been shown to damage the liver, nervous system, and circulatory system of laboratory animals such as rats and mice when exposed at high levels over their lifetimes. Some humans who were exposed to relatively large amounts of this chemical also suffered damage to the nervous system. USEPA has set the drinking water standard for cis-1,2-dichloroethylene at 0.07 parts per million (ppm) to protect against the risk of these adverse health effects. Drinking water that meets the USEPA standard is associated with little to none of this risk and is considered safe with respect to

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cis-1,2-dichloroethylene.

341 trans-1,2-Dichloroethylene. The United States Environmental Protection Agency (USEPA) establishes drinking water standards and has determined that trans-1,2-dichloroethylene is a health concern at certain levels of exposure. This organic chemical is used as a solvent and intermediate in chemical production. It generally gets into water by improper waste disposal. This chemical has been shown to damage the liver, nervous system, and the circulatory system of laboratory animals such as rats and mice when exposed at high levels over their lifetimes. Some humans who were exposed to relatively large amounts of this chemical also suffered damage to the nervous system. USEPA has set the drinking water standard for trans-1,2-dichloroethylene at 0.1 parts per million (ppm) to protect against the risk of these adverse health effects. Drinking water that meets the USEPA standard is associated with little to none of this risk and is considered safe with respect to trans-1,2-dichloroethylene.

351 1,2-Dichloropropane. The United States Environmental Protection Agency (USEPA) sets drinking water standards and has determined that 1,2-dichloropropane is a health concern at certain levels of exposure. This organic chemical is used as a solvent and pesticide. When soil and climatic conditions are favorable, 1,2-dichloropropane may get into drinking water by runoff into surface water or by leaching into ground water. It may also get into drinking water through improper waste disposal. This chemical has been shown to cause cancer in laboratory animals such as rats and mice when the animals are exposed at high levels over their lifetimes. Chemicals that cause cancer in laboratory animals also may increase the risk of cancer in humans who are exposed over long periods of time. USEPA has set the drinking water standard for 1,2-dichloropropane at 0.005 parts per million (ppm) to reduce the risk of cancer or other adverse health effects which have been observed in laboratory animals. Drinking water that meets the USEPA standard is associated with little to none of this risk and is considered safe with respect to 1,2-dichloropropane.

361 2,4-D. This contaminant is subject to a "additional State requirement". The supplier shall give the following notice if the level exceeds the Section 611.311 MCL. If the level exceeds the Section 611.310 MCL, but not that of Section 611.311, the supplier shall give a general notice under Section 611.854.

The United States Environmental Protection Agency (USEPA) sets drinking water standards and has determined that 2,4-D is a health concern at certain levels of exposure. This organic chemical is used as a herbicide and to control algae in reservoirs. When soil and climatic conditions are favorable, 2,4-D may get into drinking water by runoff into surface water or by leaching into ground water. This chemical has been shown to damage the liver and kidney of laboratory animals such as rats exposed at high levels during their lifetimes. Some humans who were exposed to relatively large amounts of this chemical also suffered damage to the nervous system. USEPA has set the drinking water standard for 2,4-D at 0.07 parts per million (ppm) to protect against the risk of these adverse health effects. Drinking water that meets the USEPA standard is associated with little to none of this risk and

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is considered safe with respect to 2,4-D.

- 37) Epichlorohydrin. The United States Environmental Protection Agency (USEPA) sets drinking water standards and has determined that epichlorohydrin is a health concern at certain levels of exposure. Polymers made from epichlorohydrin are sometimes used in the treatment of water supplies as a flocculent to remove particulates. Epichlorohydrin generally gets into drinking water by improper use of these polymers. This chemical has been shown to cause cancer in laboratory animals such as rats and mice when the animals are exposed at high levels over their lifetimes. Chemicals that cause cancer in laboratory animals also may increase the risk of cancer in humans who are exposed over long periods of time. USEPA has set the drinking water standard for epichlorohydrin using a treatment technique to reduce the risk of cancer or other adverse health effects which have been observed in laboratory animals. This treatment technique limits the amount of epichlorohydrin in the polymer and the amount of the polymer which may be added to drinking water as a flocculent to remove particulates. Drinking water systems which comply with this treatment technique have little to no risk and are considered safe with respect to epichlorohydrin.

- 38) Ethylbenzene. The United States Environmental Protection Agency (USEPA) sets drinking water standards and has determined that ethylbenzene is a health concern at certain levels of exposure. This organic chemical is a major component of gasoline. It generally gets into water by improper waste disposal or leaking gasoline tanks. This chemical has been shown to damage the kidney, liver, and nervous system of laboratory animals such as rats exposed to high levels during their lifetimes. USEPA has set the drinking water standard for ethylbenzene at 0.7 parts per million (ppm) to protect against the risk of these adverse health effects. Drinking water that meets the USEPA standard is associated with little to none of this risk and is considered safe with respect to ethylbenzene.

- 39) Ethylene dibromide (EDB). The United States Environmental Protection Agency (USEPA) sets drinking water standards and has determined that EDB is a health concern at certain levels of exposure. This organic chemical was once a popular pesticide. When soil and climatic conditions are favorable, EDB may get into drinking water by runoff into surface water or by leaching into ground water. This chemical has been shown to cause cancer in laboratory animals such as rats and mice when the animals are exposed at high levels over their lifetimes. Chemicals that cause cancer in laboratory animals also may increase the risk of cancer in humans who are exposed over long periods of time. USEPA has set the drinking water standard for EDB at 0.00005 parts per million (ppm) to reduce the risk of cancer or other adverse health effects which have been observed in laboratory animals. Drinking water that meets this standard is associated with little to none of this risk and is considered safe with respect to EDB.

- 40) Heptachlor. This contaminant is subject to a "additional State requirement". The supplier shall give the following notice if the level exceeds the Section 611.311 MCL. If the level exceeds the Section 611.310 MCL, but not that of Section 611.311, the supplier

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shall give a general notice under Section 611.854.

The United States Environmental Protection Agency (USEPA) sets drinking water standards and has determined that heptachlor is a health concern at certain levels of exposure. This organic chemical was once a popular pesticide. When soil and climatic conditions are favorable, heptachlor may get into drinking water by runoff into surface water or by leaching into ground water. This chemical has been shown to cause cancer in laboratory animals such as rats and mice when the animals are exposed at high levels over their lifetimes. Chemicals that cause cancer in laboratory animals also may increase the risk of cancer in humans who are exposed over long periods of time. USEPA has set the drinking water standards for heptachlor at 0.0004 parts per million (ppm) to reduce the risk of cancer or other adverse health effects which have been observed in laboratory animals. Drinking water that meets this standard is associated with little to none of this risk and is considered safe with respect to heptachlor.

- 41) Heptachlor epoxide. This contaminant is subject to a "additional State requirement". The supplier shall give the following notice if the level exceeds the Section 611.311 MCL. If the level exceeds the Section 611.310 MCL, but not that of Section 611.311, the supplier shall give a general notice under Section 611.854.

The United States Environmental Protection Agency (USEPA) sets drinking water standards and has determined that heptachlor epoxide is a health concern at certain levels of exposure. This organic chemical was once a popular pesticide. When soil and climatic conditions are favorable, heptachlor epoxide may get into drinking water by runoff into surface water or by leaching into ground water. This chemical has been shown to cause cancer in laboratory animals such as rats and mice when the animals are exposed at high levels over their lifetimes. Chemicals that cause cancer in laboratory animals also may increase the risk of cancer in humans who are exposed over long periods of time. USEPA has set the drinking water standards for heptachlor epoxide at 0.0002 parts per million (ppm) to reduce the risk of cancer or other adverse health effects which have been observed in laboratory animals. Drinking water that meets this standard is associated with little to none of this risk and is considered safe with respect to heptachlor epoxide.

- 42) Lindane. The United States Environmental Protection Agency (USEPA) sets drinking water standards and has determined that lindane is a health concern at certain levels of exposure. This organic chemical is used as a pesticide. When soil and climatic conditions are favorable, lindane may get into drinking water by runoff into surface water or by leaching into ground water. This chemical has been shown to damage the liver, kidney, nervous system, and immune system of laboratory animals such as rats, mice and dogs exposed at high levels during their lifetimes. Some humans who were exposed to relatively large amounts of this chemical also suffered damage to the nervous system and circulatory system. USEPA has established the drinking water standard for lindane at 0.0002 parts per million (ppm) to protect against the risk of these adverse health effects. Drinking water that meets the USEPA standard is associated with little to none of

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this risk and is considered safe with respect to lindane.

- 43) Methoxychlor. The United States Environmental Protection Agency (USEPA) sets drinking water standards and has determined that methoxychlor is a health concern at certain levels of exposure. This organic chemical is used as a pesticide. When soil and climatic conditions are favorable, methoxychlor may get into drinking water by runoff into surface water or by leaching into ground water. This chemical has been shown to damage the liver, kidney, nervous system, and reproductive system of laboratory animals such as rats exposed at high levels during their lifetimes. It has also been shown to produce growth retardation in rats. USEPA has set the drinking water standard for methoxychlor at 0.04 parts per million (ppm) to protect against the risk of these adverse health effects. Drinking water that meets the USEPA standard is associated with little to none of this risk and is considered safe with respect to methoxychlor.

- 44) Monochlorobenzene. The United States Environmental Protection Agency (USEPA) sets drinking water standards and has determined that monochlorobenzene is a health concern at certain levels of exposure. This organic chemical is used as a solvent. It generally gets into water by improper waste disposal. This chemical has been shown to damage the liver, kidney and nervous system of laboratory animals such as rats and mice exposed to high levels during their lifetimes. USEPA has set the drinking water standard for monochlorobenzene at 0.1 parts per million (ppm) to protect against the risk of these adverse health effects. Drinking water that meets the USEPA standard is associated with little to none of this risk and is considered safe with respect to monochlorobenzene.

- 45) Polychlorinated biphenyls (PCBs). The United States Environmental Protection Agency (USEPA) sets drinking water standards and has determined that polychlorinated biphenyls (PCBs) are a health concern at certain levels of exposure. These organic chemicals were once widely used in electrical transformers and other industrial equipment. They generally get into drinking water by improper waste disposal or leaking electrical industrial equipment. This chemical has been shown to cause cancer in laboratory animals such as rats and mice when the animals are exposed at high levels over their lifetimes. Chemicals that cause cancer in laboratory animals also may increase the risk of cancer in humans who are exposed over long periods of time. USEPA has set the drinking water standard for PCBs at 0.0005 parts per million (ppm) to reduce the risk of cancer or other adverse health effects which have been observed in laboratory animals. Drinking water that meets this standard is associated with little to none of this risk and is considered safe with respect to PCBs.

- 46) This subsection corresponds with 40 CFR 141.32(e)(46), reserved by USEPA. This statement maintains structural consistency with USEPA rules.

- 47) Styrene. The United States Environmental Protection Agency (USEPA) sets drinking water standards and has determined that styrene is a health concern at certain levels of exposure. This organic chemical is commonly used to make plastics and is

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sometimes a component of resins used for drinking water treatment. Styrene may get into drinking water from improper waste disposal. This chemical has been shown to damage the liver and nervous system in laboratory animals when exposed at high levels during their lifetimes. USEPA has set the drinking water standard for styrene at 0.1 parts per million (ppm) to protect against the risk of these adverse health effects. Drinking water that meets the USEPA standard is associated with little to none of this risk and is considered safe with respect to styrene.

- 48) Tetrachloroethylene. The United States Environmental Protection Agency (USEPA) sets drinking water standards and has determined that tetrachloroethylene is a health concern at certain levels of exposure. This organic chemical has been a popular solvent, particularly for dry cleaning. It generally gets into drinking water by improper waste disposal. This chemical has been shown to cause cancer in laboratory animals such as rats and mice when the animals are exposed at high levels over their lifetimes. Chemicals that cause cancer in laboratory animals also may increase the risk of cancer in humans who are exposed over long periods of time. USEPA has set the drinking water standard for tetrachloroethylene at 0.005 parts per million (ppm) to reduce the risk of cancer or other adverse health effects which have been observed in laboratory animals. Drinking water that meets this standard is associated with little to none of this risk and is considered safe with respect to tetrachloroethylene.

- 49) Toluene. The United States Environmental Protection Agency (USEPA) sets drinking water standards and has determined that toluene is a health concern at certain levels of exposure. This organic chemical is used as a solvent and in the manufacture of gasoline for airplanes. It generally gets into water by improper waste disposal or leaking underground storage tanks. This chemical has been shown to damage the kidney, nervous system, and circulatory system of laboratory animals such as rats and mice exposed to high levels during their lifetimes. Some industrial workers who were exposed to relatively large amounts of this chemical during working careers also suffered damage to the liver, kidney and nervous system. USEPA has set the drinking water standard for toluene at 1 part per million (ppm) to protect against the risk of these adverse health effects. Drinking water that meets the USEPA standard is associated with little to none of this risk and is considered safe with respect to toluene.

- 50) Toxaphene. The United States Environmental Protection Agency (USEPA) sets drinking water standards and has determined that toxaphene is a health concern at certain levels of exposure. This organic chemical was once a pesticide widely used on cotton, corn, soybeans, pineapples and other crops. When soil and climatic conditions are favorable, toxaphene may get into drinking water by runoff into surface water or by leaching into ground water. This chemical has been shown to cause cancer in laboratory animals such as rats and mice when the animals are exposed at high levels over their lifetimes. Chemicals that cause cancer in laboratory animals also may increase the risk of cancer in humans who are exposed over long periods of time. USEPA has set the drinking water standard for toxaphene at 0.003 parts per million (ppm) to reduce the risk of cancer or other adverse health effects which have been

observed in laboratory animals. Drinking water that meets this standard is associated with little to none of this risk and is considered safe with respect to toxaphene.

2,4,5-TP. The United States Environmental Protection Agency (USEPA) sets drinking water standards and has determined that 2,4,5-TP is a health concern at certain levels of exposure. This organic chemical is used as a herbicide. When soil and climatic conditions are favorable, 2,4,5-TP may get into drinking water by runoff into surface water or by leaching into ground water. This chemical has been shown to damage the liver and kidney of laboratory animals such as rats and dogs exposed to high levels during their lifetimes. Some industrial workers who were exposed to relatively large amounts of this chemical during working careers also suffered damage to the nervous system. USEPA has set the drinking water standard for 2,4,5-TP at 0.05 parts per million (ppm) to protect against the risk of these adverse health effects. Drinking water that meets the USEPA standard is associated with little to none of this risk and is considered safe with respect to 2,4,5-TP.

51) Xylenes. The United States Environmental Protection Agency (USEPA) sets drinking water standards and has determined that xylene is a health concern at certain levels of exposure. This organic chemical is used in the manufacture of gasoline for airplanes and as a solvent for pesticides, and as a cleaner and degreaser of metals. It usually gets into water by improper waste disposal. This chemical has been shown to damage the liver, kidney and nervous system of laboratory animals such as rats and dogs exposed to high levels during their lifetimes. Some humans who were exposed to relatively large amounts of this chemical also suffered damage to the nervous system. USEPA has set the drinking water standard for xylene at 10 parts per million (ppm) to protect against the risk of these adverse health effects. Drinking water that meets the USEPA standard is associated with little to none of this risk and is considered safe with respect to xylene.

52) The AC P-A method must be performed as follows:

1. For the 10-tube method, add 10 mL of water sample to each test tube. For the single-vessel method, add 100 mL of water sample to the vessel.

BOARD NOTE: Derived from 40 CFR 141.32(e) (1989), as amended at 54 Fed. Reg. 27526, June 29, 1989, and at 54 Fed. Reg. 27562, June 29, 1989.

(Source: Amended at 16 Ill. Reg. 19010, effective December 1, 1992)

Section 611. Appendix D Defined Substrate Method for the Simultaneous Detection of Total Coliforms and Escherichia Coli from Drinking Water

Autoanalysis Colilert Presence-Absence (AC P-A) Method.

The AC P-A test format must be either a 100-mL 10-tube most probable number test (1 tube positive denoting the presence of total coliforms in that sample) or a single vessel containing sufficient reagent to receive 100 mL of sample. The reagent is available from Access Medical Systems, Branford Connecticut.

The AC P-A method must be performed as follows:

1. For the 10-tube method, add 10 mL of water sample to each test tube. For the single-vessel method, add 100 mL of water sample to the vessel.

2. Dissolve the reagent powder by agitation. (This should produce a colorless solution.)

3. Incubate the test tubes or vessel at 35°C for 24 hours.

4. Development of yellow during incubation denotes the presence of total coliforms in either the test tube or the vessel.

5. Expose each positive (yellow) test tube or vessel to a fluorescent (366 nm) light source. Fluorescence specifically demonstrates the presence of Escherichia coli.

BOARD NOTE: Derived from S. Edberg, M. Allen & D. Smith, "National Field Evaluation of a Defined Substrate Method for the Simultaneous Detection of Total Coliforms and Escherichia coli from Drinking Water: Comparison with Presence-Absence Techniques", Applied and Environmental Microbiology, vol. 55, pp. 1003-1008, as incorporated by reference at 40 CFR 141.21(f)(6)(iii), as amended at 57 Fed. Reg. 24747 (June 10, 1992). This method is for use in conjunction with the requirements of Section 611.526.

(Source: Added at 16 Ill. Reg. 19010, effective December 1, 1992)

Section 611. Table B Fecal or Total Coliform Density Measurements

System Size (Persons Served)	Samples per Week
Less than 500 or fewer	1
501 to 3300	2
3301 to 10,000	3
10,001 to 25,000	4
More than 25,000	5

Samples must be taken on separate days.

BOARD NOTE: Derived from 40 CFR 141.74(b)(1) (1991), as amended at 54 Fed. Reg. 27562, June 29, 1989.

(Source: Amended at 16 Ill. Reg. 19010, effective December 1, 1992)

Section 611. Table C Frequency of RDC Measurement

System Size (Persons Served)	Samples per Day
Less than 500 or fewer	1
501 to 1000	2
1001 to 2,500	3
2501 to 3,300	4

The day's samples cannot be taken at the same time. The sampling intervals are subject to Agency review and approval by special exception permit.

BOARD NOTE: Derived from 40 CFR 141.74(b)(5) and (c)(2) (1991), as amended at 54 Fed. Reg. 27562, June 29, 1989.

(Source: Amended at 16 Ill. Reg. 19010, effective December 1, 1992)

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Section 611. Table D Federal Effective Dates

The following are the effective dates of the federal MCLs:

- Fluoride (40 CFR 141.60(b)(1))
(corresponding with Section 611.301(b))
October 2, 1987
- Phase I VOCs (40 CFR 141.60(a)(1))
(corresponding with Section 611.311(a))
(benzene, carbon tetrachloride, p-dichlorobenzene, 1,2-dichloroethane, 1,1-dichloroethylene, 1,1,1-trichloroethane, trichloroethylene, and vinyl chloride)
July 9, 1989
- Phase II VOCs (40 CFR 141.60(b)(2))
(corresponding with Section 611.301(b))
(asbestos, barium, cadmium, chromium, mercury, nitrate, nitrite, and selenium)
July 30, 1992
- Phase II VOCs (40 CFR 141.60(a)(2))
(corresponding with Section 611.311(a))
(o-dichlorobenzene, cis-1,2-dichloroethylene, trans-1,2-dichloroethylene, 1,2-dichloropropane, ethylbenzene, monochlorobenzene, styrene, tetrachloroethylene, toluene, and xylenes (total))
July 30, 1992
- Phase II VOCs (40 CFR 141.60(a)(2))
(corresponding with Section 611.311(c))
(alachlor, atrazine, carbofuran, chlordane, dibromochloropropane, ethylene dibromide, heptachlor, heptachlor epoxide, lindane, methoxychlor, polychlorinated biphenyls, toxaphene, 2,4-D, and 2,4,5-TP (Silvex))
July 30, 1992

(Source: Added at 16 Ill. Reg. 19010, effective December 1, 1992)

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- 1) Heading of the Part: Medical Payment
- 2) Code Citation: 89 Ill. Adm. Code 140
- 3) Section Numbers: Adopted Action:

140.12, 140.13, 140.14	Amendment
140.16, 140.19	Amendment
140.32, 140.33	New Section
140.526, 140.527	Repeal
140.528, 140.529	Repeal
140.560, 140.570, 140.571	Amendment
140.572, 140.573, 140.574	Amendment
140.579	Amendment
140.580, 140.581	Repeal
140. TABLE J	Repeal
- 4) Statutory Authority: Sections 11-27 et seq. and 12-13 of the Illinois Public Aid Code (Ill. Rev. Stat. 1991, ch. 23, pars. 11-27 et seq. and 12-13)
- 5) Effective Date of Amendments: December 1, 1992
- 6) Does this rulemaking contain an automatic repeal date? No
- 7) Do these Amendments contain incorporations by reference? No
- 8) Date Filed in Agency's Principal Office: December 1, 1992
- 9) Notices of Proposal Published in Illinois Register:

Section 140.12: July 31, 1992 (16 Ill. Reg. 12116)

Sections 140.13 through 140.33: March 27, 1992 (16 Ill. Reg. 4708)

Sections 140.526 through 140.529: June 19, 1992 (16 Ill. Reg. 9393)

Sections 140.560 through 140.574: August 21, 1992 (16 Ill. Reg. 12838)
- 10) Has JCAR issued a Statement of Objections to these Adopted Amendments? No
- 11) Differences between proposal and final version:

Section 140.12: Several changes were made in the proposed language of Section 140.12(h) in response to public comments. These changes included dividing this provision into subsections (h)(1) and (h)(2), adding the phrase "or from a financially responsible relative or representative of the individual" to the first sentence of the provision, and adding a definition of the term "accepts" in subsection (h)(1). No other changes were made in the text of the proposed amendments.

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Sections 140.13 through 140.33: The language proposed as new Sections 140.31 and 140.32 has been combined into Section 140.32. This change was necessary to accommodate the emergency adoption of a new Section 140.31 on July 24, 1992 (16 Ill. Reg. 11721). In connection with the combining of these proposed Sections, the title for Section 140.32 was changed from "Special Permission for Continuation or Reinstatement of Medical Assistance Program Participation for Barred Entities" to "Prohibition on Participation, and Special Permission for Participation." While the proposed language was not changed, combining the language into a single rule required complete relabeling of the new Section. In addition, the text of Section 140.16 was updated to reflect changes which were adopted effective November 2, 1992, and published at 16 Ill. Reg. 17302. Technical changes were made to Section 140.13 to eliminate the labeling of the definitions. A similar technical change was made in Section 140.14 to replace the word "one" with the phrase "an entity." These changes clarify the rules and comply with the requirements of the Administrative Code Division. No other changes were made in the text of the proposed amendments.

Sections 140.526 through 140.529: There are no differences between the proposed rules for repeal and the final rules for repeal.

Sections 140.560 through 140.564: Several spelling, grammatical, and technical changes were made in the text of the amendments to comply with recommendations of the Administrative Code Division. In Section 140.571(a)(1), a colon was added after the words, "blending of." In the same subsection, "(A)" and "(B)" were moved to the next indent level. In Section 140.571(a)(2) and (a)(3), the spaces preceding the two paragraphs that begin with "For example" were removed. In Section 140.574(c), the misspelling of "January" is being corrected. No other changes were made in the text of the proposed amendments.

12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreement letter issued by JCAR? Yes

13) Will these Amendments replace Emergency Amendments currently in effect? No

14) Are there any Amendments pending on this Part? Yes

Sections	Proposed Action	Illinois Register Citation
140.12	Amendment	November 6, 1992 (16 Ill. Reg. 17049)
140.31	New Section	July 24, 1992 (16 Ill. Reg. 11721)
140.80	New Section	October 2, 1992 (16 Ill. Reg. 15019)
140.82	New Section	October 2, 1992 (16 Ill. Reg. 15019)
140.84	New Section	October 2, 1992 (16 Ill. Reg. 15019)
140.94	Amendment	October 2, 1992 (16 Ill. Reg. 15019)
140.95	Amendment	October 2, 1992 (16 Ill. Reg. 15019)

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Sections	Proposed Action	Illinois Register Citation
140.485	Amendment	October 30, 1992 (16 Ill. Reg. 16495)
140.488	Amendment	October 30, 1992 (16 Ill. Reg. 16495)
140.492	Amendment	September 4, 1992 (16 Ill. Reg. 13397)
140.511	Amendment	November 20, 1992 (16 Ill. Reg. 17461)
140.525	Amendment	August 28, 1992 (16 Ill. Reg. 13211)
140.538	Amendment	August 28, 1992 (16 Ill. Reg. 13211)
140.642	Amendment	November 30, 1992 (16 Ill. Reg. 17956)
140.648	Amendment	November 13, 1992 (16 Ill. Reg. 17209)
140.700	Amendment	May 15, 1992 (16 Ill. Reg. 7576)
140.TABLE K	Amendment	October 9, 1992 (16 Ill. Reg. 15296)

15) Summary and Purpose of Amendments:

Section 140.12: These amendments are required to satisfy a portion of the settlement of the Collins v. Bradley lawsuit. The amendments focus on protecting recipients of medical assistance services from being billed for such services by providers. Situations sometimes arise in which providers fail to bill the Department timely or properly, and therefore do not receive reimbursement from the Department for services rendered to a Medicaid recipient. These amendments specify that such a provider cannot bill, demand or otherwise seek reimbursement from the recipient or from a financially responsible relative or representative.

Sections 140.13 through 140.33: These amendments are required to more fully implement the provisions of Section 11-27 of the Illinois Public Aid Code (Ill. Rev. Stat. 1991, ch. 23, par. 11-27), which addresses barring and readmission of vendors to the Medical Assistance Program. The statutory provisions have expanded the scope of activities in which barred individuals may not participate and these amendments bring the rules into compliance with the statute. The amendments allow individuals who are automatically barred to seek special permission to continue participation in the Medical Assistance Program. The amendments also create a hearing right for individuals who dispute that they are in a category of persons automatically barred as the result of a termination.

Sections 140.526 through 140.529: This rulemaking repeals the Quality Incentive Program (QUIP) for long term care facilities. The Sections for repeal pertain to the QUIP standards and criteria, survey process, payments process and appeal procedures. QUIP surveys were discontinued on July 1, 1991, and payments to facilities were eliminated effective July 1, 1992. While the Department anticipated conversion from QUIP to new quality incentive programs for nursing facilities and ICF/MR facilities, implementation of these programs will not be possible due to budgetary constraints. The elimination of QUIP will permit the Department to redirect QUIP funding toward essential long term care programs and

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services. The absence of QUP payments will not result in any negative impact upon regular reimbursement levels paid by the Department to facilities. The estimated aggregate annual budget reduction resulting from the elimination of QUP is approximately \$13.8 million. A reallocation of these funds will occur to augment payments to providers for essential long term care Medicaid services.

Sections 140.560 through 140.569 Table J: These amendments, including three rules for repeal, revise the Department's capital reimbursement system for long term care facilities. These changes provide for rate calculation simplicity as well as fair and consistent calculation factors. The new system offers enhanced rate recognition for increases in property values that are due to inflation or improvements to a building. The return on investment is paid on a blended value which combines the inflated construction cost for the specific facility building, with a standard replacement cost factor. A factor for equipment, rent, vehicle and working capital and a property tax factor is added to complete the capital rate.

16) Information and questions regarding these Adopted Amendments shall be directed to:

Name: Joanne Jones
Address: Bureau of Rules and Regulations
Illinois Department of Public Aid
100 South Grand Avenue East, Third Floor
Springfield, Illinois 62762
Telephone: (217) 524-3215

The full text of the Adopted Amendments begins on the next page:

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TITLE 89: SOCIAL SERVICES
CHAPTER I: DEPARTMENT OF PUBLIC AID
SUBCHAPTER d: MEDICAL PROGRAMS

PART 140
MEDICAL PAYMENT

SUBPART A: GENERAL PROVISIONS

Section

- 140.1 Incorporation By Reference
- 140.2 Medical Assistance Programs
- 140.3 Covered Services Under The Medical Assistance Programs for AFDC, AFDC-MANG, AABD, AABD-MANG, RRP, Individuals Under Age 18 Not Eligible for AFDC, Pregnant Women Who Would Be Eligible if the Child Were Born and Pregnant Women and Children Under Age Eight Who Do Not Qualify As Mandatory Categorically Needy
- 140.4 Covered Medical Services Under AFDC-MANG for non-pregnant persons who are 18 years of age or older (Repealed)
- 140.5 Covered Medical Services Under GA
- 140.6 Medical Services Not Covered
- 140.7 Medical Assistance Provided to Individuals Under the Age of Eighteen Who Do Not Qualify for AFDC and Children Under Age Eight
- 140.8 Medical Assistance For Qualified Severely Impaired Individuals
- 140.9 Medical Assistance for a Pregnant Woman Who Would Not Be Categorically Eligible for AFDC/AFDC-MANG if the Child Were Already Born Or Who Do Not Qualify As Mandatory Categorically Needy
- 140.10 Medical Assistance Provided to Incarcerated Persons

SUBPART B: MEDICAL PROVIDER PARTICIPATION

Section

- 140.11 Enrollment Conditions for Medical Providers
- 140.12 Participation Requirements for Medical Providers
- 140.13 Definitions
- 140.14 Denial of Application to Participate in the Medical Assistance Program
- 140.15 Recovery of Money
- 140.16 Termination or Suspension of a Vendor's Eligibility to Participate in the Medical Assistance Program
- 140.17 Suspension of a Vendor's Eligibility to Participate in the Medical Assistance Program
- 140.18 Effect of Termination on Individuals Associated with Vendor
- 140.19 Application to Participate or for Reinstatement Subsequent to Termination, Suspension or Barring
- 140.20 Submittal of Claims
- 140.21 Covered Medicaid Services for Qualified Medicare Beneficiaries (QMBs)

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140.22 Magnetic Tape Billings
 140.23 Payment of Claims
 140.24 Payment Procedures
 140.25 Overpayment or Underpayment of Claims
 140.26 Payment to Factors Prohibited
 140.27 Assignment of Vendor Payments
 140.28 Record Requirements for Medical Providers
 140.29 Audits
 140.30 Emergency Services Audits
 140.31
 EMERGENCY
 140.32 Prohibition on Participation, and Special Permission for Participation
 140.33 Publication of List of Terminated, Suspended or Barred Entities
 140.35 False Reporting and Other Fraudulent Activities
 140.40 Prior Approval for Medical Services or Items
 140.41 Prior Approval in Cases of Emergency
 140.42 Limitation on Prior Approval
 140.43 Post Approval for items or Services When Prior Approval Cannot Be Obtained
 140.71 Reimbursement for Medical Services Through the Use of a C-13
 140.72 Invoice Voucher Advance Payment and Expedited Payments
 140.73 Drug Manual (Recodified)
 Drug Manual Updates (Recodified)

SUBPART C: PROVIDER PARTICIPATION FEES

Section
 140.80 Hospital Provider Fund
 EMERGENCY
 140.82 Developmentally Disabled Care Provider Fund
 140.84 Long Term Care Provider Fund
 EMERGENCY
 140.84
 EMERGENCY
 140.94 Medicaid Developmentally Disabled Provider Participation Fee Trust
 EMERGENCY Fund/Medicaid Long Term Care Provider Participation Fee Trust Fund
 140.95 Hospital Services Trust Fund
 EMERGENCY
 140.96 General Requirements (Recodified)
 140.97 Special Requirements (Recodified)
 140.98 Covered Hospital Services (Recodified)
 140.99 Hospital Services Not Covered (Recodified)
 140.100 Limitation On Hospital Services (Recodified)
 140.101 Transplants (Recodified)
 140.102 Heart Transplants (Recodified)
 140.103 Liver Transplants (Recodified)
 140.104 Bone Marrow Transplants (Recodified)
 140.110 Disproportionate Share Hospital Adjustments (Recodified)

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140.116 Payment for Inpatient Services for GA (Recodified)
 140.117 Hospital Outpatient and Clinic Services (Recodified)
 140.200 Payment for Hospital Services During Fiscal Year 1982 (Recodified)
 140.201 Payment for Hospital Services After June 30, 1982 (Repealed)
 140.202 Payment for Hospital Services During Fiscal Year 1983 (Recodified)
 140.203 Limits on Length of Stay by Diagnosis (Recodified)
 140.300 Payment for Pre-operative Days and Services Which Can Be Performed in an Outpatient Setting (Recodified)
 140.350 Copayments (Recodified)
 140.360 Payment Methodology (Recodified)
 140.361 Non-Participating Hospitals (Recodified)
 140.362 Pre July 1, 1989 Services (Recodified)
 140.363 Post June 30, 1989 Services (Recodified)
 140.364 Prepayment Review (Recodified)
 140.365 Base Year Costs (Recodified)
 140.366 Restructuring Adjustment (Recodified)
 140.367 Inflation Adjustment (Recodified)
 140.368 Volume Adjustment (Repealed)
 140.369 Groupings (Recodified)
 140.370 Rate Calculation (Recodified)
 140.371 Payment (Recodified)
 140.372 Review Procedure (Recodified)
 140.373 Utilization (Repealed)
 140.374 Alternatives (Recodified)
 140.375 Exemptions (Recodified)
 140.376 Utilization, Case-Mix and Discretionary Funds (Repealed)
 140.390 Subacute Alcoholism and Substance Abuse Services (Recodified)
 140.391 Definitions (Recodified)
 140.392 Types of Subacute Alcoholism and Substance Abuse Services (Recodified)
 140.394 Payment for Subacute Alcoholism and Substance Abuse Services (Recodified)
 140.396 Rate Appeals for Subacute Alcoholism and Substance Abuse Services (Recodified)
 140.398 Hearings (Recodified)

SUBPART D: PAYMENT FOR NON-INSTITUTIONAL SERVICES

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 140.400 Payment to Practitioners, Nurses and Laboratories
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 140.411 Covered Services By Physicians
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 140.413 Limitation on Physician Services
 140.414 Requirements for Prescriptions and Dispensing of Pharmacy Items - Physicians
 140.416 Optometric Services and Materials

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140.421	Limitations on Dental Services
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140.433	Payment for Laboratory Services
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140.448	Returned Pharmacy Items
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140.454	Types of Mental Health Clinic Services
140.455	Payment for Mental Health Clinic Services
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AUTHORITY: Implementing Article III of the Illinois Health Finance Reform Act (Ill. Rev. Stat. 1991, ch. 111 1/2, par. 6503-1 et seq.) and implementing and authorized by Articles III, IV, V, VI, VII and Section 12-13 of the Illinois Public Aid Code (Ill. Rev. Stat. 1991, ch. 23, pars. 3-1 et seq., 4-1 et seq., 5-1 et seq., 6-1 et seq., 7-1 et seq., and 12-13)

SOURCE: Adopted at 3 Ill. Reg. 24, p. 166, effective June 10, 1979; rule repealed and new rule adopted at 6 Ill. Reg. 8374, effective July 6, 1982; emergency amendment at 6 Ill. Reg. 8508, effective July 6, 1982, for a maximum of 150 days; amended at 7 Ill. Reg. 681, effective December 30, 1982; amended at 7 Ill. Reg. 7956, effective July 1, 1983; amended at 7 Ill. Reg. 8308, effective July 1, 1983; amended at 7 Ill. Reg. 8271, effective July 5, 1983; emergency amendment at 7 Ill. Reg. 8354, effective July 5, 1983, for a maximum of 150 days; amended at 7 Ill. Reg. 8540, effective July 15, 1983; amended at 7 Ill. Reg. 9382, effective July 22, 1983; amended at 7 Ill. Reg. 12868, effective September 20, 1983; peremptory amendment at 7 Ill. Reg. 15047, effective October 31, 1983; amended at 7 Ill. Reg. 17358, effective December 21, 1983; amended at 8 Ill. Reg. 254, effective December 21, 1983; emergency amendment at 8 Ill. Reg. 580, effective January 1, 1984, for a maximum of 150 days; recodified at 8 Ill. Reg. 2483; amended at 8 Ill. Reg. 3012, effective February 22, 1984; amended at 8 Ill. Reg. 5262, effective April 9, 1984; amended at 8 Ill. Reg. 6785, effective April 27, 1984; amended at 8 Ill. Reg. 6983, effective May 9, 1984; amended at 8 Ill. Reg. 7258, effective May 16, 1984; emergency amendment at 8 Ill. Reg. 7910, effective May 22, 1984, for a maximum of 150 days; amended at 8 Ill. Reg. 7910, effective June 1, 1984; amended at 8 Ill. Reg. 10032, effective June 18, 1984; emergency amendment at 8 Ill. Reg. 10062, effective June 20, 1984, for a maximum of 150 days; amended at 8 Ill. Reg. 13343, effective July 17, 1984; amended at 8 Ill. Reg. 13779, effective July 24, 1984; Sections 140.72 and 140.73 recodified to 89 Ill. Adm.

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11 Ill. Reg. 17295, effective September 30, 1987; amended at 11 Ill. Reg. 18996, effective October 27, 1987; amended at 11 Ill. Reg. 20909, effective December 14, 1987; amended at 12 Ill. Reg. 916, effective January 1, 1988; emergency amendment at 12 Ill. Reg. 1960, effective January 1, 1988, for a maximum of 150 days; amended at 12 Ill. Reg. 5427, effective March 15, 1988; amended at 12 Ill. Reg. 6246, effective March 16, 1988; amended at 12 Ill. Reg. 6728, effective March 22, 1988; Sections 140.900 thru 140.912 and 140. Table H and 140. Table I recodified to 89 Ill. Adm. Code 147.5 thru 147.205 and 147. Table A and 147. Table B at 12 Ill. Reg. 6956; amended at 12 Ill. Reg. 6927, effective April 5, 1988; Sections 140.940 thru 140.972 recodified to 89 Ill. Adm. Code 149.5 thru 149.325 at 12 Ill. Reg. 7401; amended at 12 Ill. Reg. 7695, effective April 21, 1988; amended at 12 Ill. Reg. 10497, effective June 3, 1988; amended at 12 Ill. Reg. 10717, effective June 14, 1988; emergency amendment at 12 Ill. Reg. 11868, effective July 1, 1988, for a maximum of 150 days; amended at 12 Ill. Reg. 12509, effective July 15, 1988; amended at 12 Ill. Reg. 14271, effective August 29, 1988; emergency amendment at 12 Ill. Reg. 16921, effective September 28, 1988, for a maximum of 150 days; amended at 12 Ill. Reg. 16738, effective October 5, 1988; amended at 12 Ill. Reg. 17879, effective October 24, 1988; amended at 12 Ill. Reg. 18198, effective November 4, 1988; amended at 12 Ill. Reg. 19396, effective November 6, 1988; amended at 13 Ill. Reg. 19734, effective November 15, 1988; amended at 13 Ill. Reg. 125, effective January 1, 1989; amended at 13 Ill. Reg. 2475, effective February 14, 1989; amended at 13 Ill. Reg. 3069, effective February 28, 1989; amended at 13 Ill. Reg. 3351, effective March 6, 1989; amended at 13 Ill. Reg. 3917, effective March 17, 1989; amended at 13 Ill. Reg. 5115, effective April 3, 1989; amended at 13 Ill. Reg. 5718, effective April 10, 1989; Sections 140.850 thru 140.896 recodified to 89 Ill. Adm. Code 146.5 thru 146.225 at 13 Ill. Reg. 7040; amended at 13 Ill. Reg. 7025, effective April 24, 1989; amended at 13 Ill. Reg. 7786, effective May 20, 1989; Sections 140.94 thru 140.398 recodified to 89 Ill. Adm. Code 148.10 thru 148.390 at 13 Ill. Reg. 9572; emergency amendment at 13 Ill. Reg. 10977, effective July 1, 1989, for a maximum of 150 days; emergency expired November 28, 1989; amended at 13 Ill. Reg. 11516, effective July 3, 1989; amended at 13 Ill. Reg. 12119, effective July 7, 1989; Section 140.110 recodified to 89 Ill. Adm. Code 148.120 at 13 Ill. Reg. 12118; amended at 13 Ill. Reg. 12562, effective July 17, 1989; amended at 13 Ill. Reg. 14391, effective August 31, 1989; emergency amendment at 13 Ill. Reg. 15473, effective September 12, 1989, for a maximum of 150 days; amended at 13 Ill. Reg. 16992, effective October 16, 1989; amended at 14 Ill. Reg. 190, effective December 21, 1989; amended at 14 Ill. Reg. 2564, effective February 9, 1990; emergency amendment at 14 Ill. Reg. 33241, effective February 14, 1990, for a maximum of 150 days; emergency expired July 14, 1990; amended at 14 Ill. Reg. 4543, effective March 12, 1990; for a maximum of 150 days; emergency amendment at 14 Ill. Reg. 4577, effective March 6, 1990, for a maximum of 150 days; emergency expired August 3, 1990; emergency amendment at 14 Ill. Reg. 5575, effective April 1, 1990, for a maximum of 150 days; emergency expired August 29, 1990; emergency amendment at 14 Ill. Reg. 5865, effective April 3, 1990, for a maximum of 150 days; amended at 14 Ill. Reg. 7249, effective April 27, 1990; emergency amendment at 14 Ill. Reg. 7249,

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effective April 27, 1990, for a maximum of 150 days; amended at 14 Ill. Reg. 10062, effective June 12, 1990; amended at 14 Ill. Reg. 10409, effective June 19, 1990; emergency amendment at 14 Ill. Reg. 12082, effective July 5, 1990, for a maximum of 150 days; amended at 14 Ill. Reg. 13262, effective August 6, 1990; emergency amendment at 14 Ill. Reg. 14184, effective August 16, 1990, for a maximum of 150 days; emergency amendment at 14 Ill. Reg. 14570, effective August 22, 1990, for a maximum of 150 days; amended at 14 Ill. Reg. 14826, effective August 31, 1990; amended at 14 Ill. Reg. 15366, effective September 12, 1990; amended at 14 Ill. Reg. 15981, effective September 21, 1990; amended at 14 Ill. Reg. 17279, effective October 12, 1990; amended at 14 Ill. Reg. 18057, effective October 22, 1990; amended at 14 Ill. Reg. 18508, effective October 30, 1990; amended at 14 Ill. Reg. 18813, effective November 6, 1990; amended at 14 Ill. Reg. 20478, effective December 7, 1990; amended at 14 Ill. Reg. 20729, effective December 12, 1990; amended at 15 Ill. Reg. 298, effective December 28, 1990; emergency amendment at 15 Ill. Reg. 592, effective January 1, 1991, for a maximum of 150 days; amended at 15 Ill. Reg. 1051, effective January 18, 1991; Section 140.569 withdrawn at 15 Ill. Reg. 1174; amended at 15 Ill. Reg. 6220, effective April 18, 1991; amended at 15 Ill. Reg. 6534, effective April 30, 1991; amended at 15 Ill. Reg. 8264, effective May 23, 1991; amended at 15 Ill. Reg. 8972, effective June 17, 1991; amended at 15 Ill. Reg. 10114, effective June 21, 1991; amended at 15 Ill. Reg. 10468, effective July 1, 1991; amended at 15 Ill. Reg. 11176, effective August 1, 1991; emergency amendment at 15 Ill. Reg. 11515, effective July 25, 1991, for a maximum of 150 days; emergency expired December 22, 1991; emergency amendment at 15 Ill. Reg. 12919, effective August 15, 1991, for a maximum of 150 days; emergency expired January 12, 1992; emergency amendment at 15 Ill. Reg. 16366, effective October 22, 1991, for a maximum of 150 days; amended at 15 Ill. Reg. 17318, effective November 18, 1991; amended at 15 Ill. Reg. 17733, effective November 22, 1991; emergency amendment at 16 Ill. Reg. 300, effective December 20, 1991, for a maximum of 150 days; amended at 16 Ill. Reg. 174, effective December 24, 1991; amended at 16 Ill. Reg. 1877, effective January 24, 1992; amended at 16 Ill. Reg. 3552, effective February 28, 1992; amended at 16 Ill. Reg. 4006, effective March 6, 1992; amended at 16 Ill. Reg. 6408, effective March 20, 1992; amended at 16 Ill. Reg. 6849, effective April 7, 1992; amended at 16 Ill. Reg. 7017, effective April 17, 1992; amended at 16 Ill. Reg. 10050, effective June 5, 1992; amended at 16 Ill. Reg. 11174, effective June 26, 1992; expedited correction at 16 Ill. Reg. 11348, effective March 20, 1992; emergency amendment at 16 Ill. Reg. 11947, effective July 10, 1992, for a maximum of 150 days; amended at 16 Ill. Reg. 12186, effective July 24, 1992; emergency amendment at 16 Ill. Reg. 13337, effective August 14, 1992, for a maximum of 150 days; emergency amendment at 16 Ill. Reg. 15109, effective September 21, 1992, for a maximum of 150 days; amended at 16 Ill. Reg. 15561, effective September 30, 1992; amended at 16 Ill. Reg. 17302, effective November 2, 1992; emergency amendment at 16 Ill. Reg. 18097, effective November 17, 1992, for a maximum of 150 days; amended at 16 Ill. Reg. 19146, effective December 1, 1992.

NOTE: CAPITALIZATION DENOTES STATUTORY LANGUAGE.

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SUBPART B: MEDICAL PROVIDER PARTICIPATION

Section 140.12 Participation Requirements for Medical Providers

The provider shall agree to:

- a) Verify eligibility of recipients prior to providing each service by checking
 - 1) the Medical Eligibility Card, or
 - 2) the Certificate for Interim Medical Care - Emergency Services, which a recipient may present prior to his receipt of a regular Medical Eligibility Card;
- b) Allow recipients the choice of accepting or rejecting medical or surgical care or treatment;
- c) Provide supplies and services
 - 1) In full compliance with Title VI of the Civil Rights Act of 1964, which prohibits discrimination on the basis of race, color or national origin,
 - 2) In full compliance with Section 504 of the Rehabilitation Act of 1973 and 45 CFR 84, which prohibit discrimination on the basis of handicap; and
 - 3) Without discrimination on the basis of religious belief, political affiliation, or sex;
- d) Comply with the requirements of applicable Federal and State laws and not engage in practices prohibited by such laws;
- e) Hold confidential, and use for authorized program purposes only, all Medical Assistance information regarding recipients;
- f) Furnish to the Department, in the form and manner requested by it, any information it requests regarding payments for providing goods or services, or in connection with the rendering of goods or services or supplies to recipients by the provider, his agent, employer or employee;
- g) Make charges for the provision of services and supplies to recipients in amounts not to exceed the provider's usual and customary charges and in the same quality and mode of delivery as are provided to the general public; and

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Section 140.12 (continued)

h) Accept as payment in full the amounts established by the Department.

- 1) If a provider accepts an individual eligible for medical assistance from the Department as a Medicaid recipient, such provider shall not bill, demand or otherwise seek reimbursement from that individual or from a financially responsible relative or representative of the individual for any service for which reimbursement would have been available from the Department if the provider had timely and properly billed the Department. For purposes of this subsection, "accepts" shall be deemed to include:

- i) an affirmative representation to an individual that payment for services will be sought from the Department;
- ii) an individual presents the provider with his or her Medicaid card and the provider does not indicate that other payment arrangements will be necessary; or
- iii) billing the Department for the covered medical service provided an eligible individual.

- 2) If an eligible individual is entitled to medical assistance with respect to a service for which a third party is liable for payment, the provider furnishing the service may not seek to collect from the individual payment for that service if the total liability of the third party for that service is at least equal to the amount payable for that service by the Department; and

- i) Accept assignment of Medicare benefits for public aid recipients eligible for Medicare, when payment for services to such persons is sought from the Department.

(Source: Amended at 16 Ill. Reg. 19146, effective December 1, 1992)

Section 140.13 Definitions

- a) 1) "Bar"--For purposes of these Rules an individual who is barred--
 - A) Cannot be a vendor;
 - B) Cannot be an employer of a vendor, a person with management responsibility for an employer of a vendor, an officer or

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Section 140.13 (continued)

person owning (directly or indirectly) 5% or more of the shares of stock or other evidence of ownership in an employer of a vendor, an owner of a sole proprietorship that employs a vendor or a partner of a partnership that employs a vendor;

- C) Cannot order goods or services from a vendor when payment for such goods or services will be made in whole or in part by the Department;

- D) Cannot render goods or services as an employee of a vendor for which payment will be made in whole or in part by the Department;

- 2) After the provision of written notice to the affected parties, the Department may deny payment for goods or services rendered or ordered by a person who is barred as described in subsections (A), (C) or (D), and may also deny payments for goods or services rendered by vendors who are employees of a person or entity described in subsection (B);

"Department Policy". For purposes of these Rules "Department policy" shall mean the written requirements of the Department set forth in the Medical Assistance Program Handbooks, and the Department's written manuals, bulletins and releases. It shall also include any additional policy statements transmitted in writing to a vendor.

"Entity". For purposes of these Rules "entity" means any person, firm, corporation, partnership, association, agency, institution, or other legal organization.

"Investor". For purposes of these Rules "investor" shall mean any entity that owns (directly or indirectly) 5% or more of the shares of stock or other evidences of ownership of a vendor or holds (directly or indirectly) 5% or more of the debt of a vendor or owns and holds (directly or indirectly) 3% or more of the combined debt and equity of a vendor.

- e) "Management Responsibility".

- i) "Management Responsibility"--For purposes of these Rules, a person with management responsibility includes a person vested with discretion or judgment who either alone or in conjunction with others, conducts, administers or oversees either: A) the general concerns of the vendor; or B) that portion of the

Section 140.13 (continued)

vendor's concerns that were the subject of the Department's action against the vendor.

- 2) A person with management responsibility shall specifically include the pharmacist in a pharmacy, the medical director of a laboratory, the administrator of a hospital or nursing home and the manager of a group practice, clinic or shared health facility.

"Technical or Other Advisor". For purposes of these Rules "technical or other advisor" shall mean any entity that provides any form of advice to a vendor regarding the vendor's business or participation in the Medical Assistance Program in return for compensation, directly or indirectly, in any form.

- a) "Vendor". For purposes of these Rules "vendor" shall mean a person, firm, corporation, association, agency, institution, or other legal entity receiving payment or applying for authorization to receive payment for goods or services to a recipient or recipients.

(Source: Amended at 16 Ill. Reg. 19146, effective December 1, 1992)

Section 140.14 Denial of Application to Participate in the Medical Assistance Program

- a) The Department may deny an application to participate in the Medical Assistance Program if the vendor has engaged in activities which constitute grounds for termination or suspension under Section 140.16. If the activities were engaged in prior to December 1, 1977, they may be used as the basis for denial of an application only if the vendor had actual or constructive knowledge of the requirements which applied to his conduct or activities.

- b) In addition to the above basis, the Department may deny an application submitted by a vendor that has been previously terminated, barred or denied participation if:

- 1) such vendor cannot reasonably be expected to meet the written requirements of the Department including those set forth in the Medical Assistance Program Handbooks and the Department's manuals, bulletins and releases; or

- 2) the Department determines, after reviewing the activities which served as the basis for the earlier termination or barring, that

Section 140.14(b)(2) (continued)

the application should not be approved. Factors to be considered by the Department in making this determination shall include:

- A) length of time the vendor has not participated in the Medical Assistance Program;
- B) magnitude and severity of the activities which led to the binding administrative decision which served as the basis for the vendor's termination, barring or denied participation;
- C) mitigating circumstances presented by the vendor;
- D) that whether the deficiencies which served as the basis for the vendor to be terminated, barred or denied participation are corrected;--and
- E) that whether the vendor demonstrates a fitness to participate in the Medical Assistance Program; and
- F) the extent to which any legally enforceable debts owed to the Department by the applicant or an entity in which the applicant or his nominee held a substantial ownership interest have been paid.

- 3) These factors must be established by submission of documentary evidence in support of the application.

- c) The Department may deny an application of a previously terminated or barred applicant if the applicant, without special permission from the Department, has already become a vendor, an entity with management responsibility for a vendor, an incorporator, officer or member of the board of directors of a vendor, an entity owning (directly or indirectly) 5% or more of the shares of stock or other evidences of ownership in a corporate vendor, an owner of a sole proprietorship vendor, a partner in a partnership vendor, a technical or other advisor to a vendor, or an investor in a vendor.

- d) The Department shall deny an application to participate in the Medical Assistance Program if the vendor does not have a necessary license, certificate or authorization.

(Source: Amended at 16 Ill. Reg. 19146, effective December 1, 1992)

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Section 140.16

Termination or Suspension of a Vendor's Eligibility to Participate in the Medical Assistance Program

- a) The Department may terminate or suspend a vendor's eligibility to participate in the Medical Assistance Program, or terminate or not renew a vendor's provider agreement, when it determines that, at any time:

1) Such vendor is not complying with the Department's policy or rules, or with the terms and conditions prescribed by the Department in any vendor agreement developed as a result of negotiations with the vendor category, or with the covenants contained in certifications bearing the vendor's signature on claims submitted to the Department by the vendor, or with restrictions on participation imposed pursuant to Section 140.32(f);

2) Such vendor is not properly licensed or qualified, or such vendor's professional license, certificate or other authorization has not been renewed or has been revoked, suspended or otherwise terminated as determined by the appropriate licensing, certifying or authorizing agency;

3) Violates records requirements

A) Such vendor has failed to keep or make available for inspection, audit or copying (including photocopying), after receiving a written request from the Department,

i) such records as are required to be maintained by the Department or as are necessary to fully disclose the extent of the services or supplies provided; or

ii) such records as are required to be maintained by the Department regarding payments claimed for providing services.

B) This Section does not require vendors to make available medical records of patients for whom services are not reimbursed under the Illinois Public Aid Code;

4) Such vendor has failed to furnish any information requested by the Department regarding payments for providing goods or services, or has failed to furnish all information required by the Department in connection with the rendering of services or supplies to recipients of public assistance by the vendor, his agent, employer or employee;

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Section 140.16(a) (continued)

5) Such vendor has knowingly made, or caused to be made, any false statement or representation of a material fact in connection with the administration of the Medical Assistance Program program. For purposes of this Section, statements or representations made "knowingly" shall include statements or representations made with actual knowledge that they were false as well as those statements made when the individual making the statement had knowledge of such facts or information as would cause one to be aware that the statements or representations were false when made;

6) Such vendor has submitted claims for services or supplies which were not rendered or delivered by that vendor;

7) Such vendor has furnished goods or services to a recipient which, when based upon competent medical judgment and evaluation, are determined to be:

A) in excess of the recipient's needs,

B) harmful to the recipient (for the purpose of this Section, "harmful" goods or services caused actual harm to a recipient or placed a recipient at risk of harm, or of adverse side effects, which outweighed the medical benefits sought to be provided), or

C) of grossly inferior quality;

8) Such vendor, knew or should have known that a person with management responsibility for a vendor; an officer or person owning (directly or indirectly) 5% or more of the shares of stock or other evidences of ownership in a corporate vendor; an investor in the vendor; a technical or other advisor of the vendor; an owner of a sole proprietorship which is a vendor; or a partner in a partnership which is a vendor, either A) was previously terminated or barred from participation in the Medical Assistance Program; or

B) was a person with management responsibility for a previously terminated vendor during the time of conduct which was the basis for that vendor's termination from participation in the Medical Assistance Program; or

C) was an officer, or person owning (directly or indirectly) 5% or more of the shares of stock or other evidences of

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Section 140.16(a)(8) (continued)

~~ownership-in-a-previously-terminated-corporate-vendor during-the-time-of-conduct-which-was-the-basis-for-that vendor's-termination-from-participation-in-the-medical assistance-program;-or~~

~~D) was-an-owner-of-a-sole-proprietorship-or-partner-of-a partnership-which-was-previously-terminated-during-the-time of-conduct-which-was-the-basis-for-that-vendor's termination-from-participation-in-the-Medical-Assistance Program;~~

9) Engaged in Practices Prohibited Practices Prohibited by Federal or State law or regulation

A) Such vendor, a person with management responsibility for a vendor; an officer or person owning (directly or indirectly) 5% or more of the shares of stock or other evidences of ownership in a corporate vendor; an owner of a sole proprietorship which is a vendor, or a partner in a partnership which is a vendor, either:

i) has engaged in practices prohibited by applicable Federal or State law or regulation; or

ii) was a person with management responsibility for a vendor at the time that such vendor engaged in practices prohibited by applicable Federal or State law or regulation; or

iii) was an officer, or person owning (directly or indirectly) 5% or more of the shares of stock or other evidences of ownership in a vendor at the time such vendor engaged in practices prohibited by applicable Federal or State law or regulation; or

iv) was an owner of a sole proprietorship or partner of a partnership which was a vendor at the time such vendor engaged in practices prohibited by applicable Federal or State law or regulation;

B) For purposes of subsection (a)(9) "applicable Federal or State law or regulation" shall include licensing or certification standards contained in State or Federal law or regulations related to the Medical Assistance Program, any other licensing standards as they relate to the

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Section 140.16(a)(9)(B) (continued)

vendor's practice or business or any Federal or state State laws or regulations related to the Medical Assistance Program.

C) For purposes of subsection (a)(9) conviction or a plea of guilty to activities violative of applicable Federal or State law or regulation shall be conclusive proof that such activities were engaged in;

10) Such vendor, a person with management responsibility for a vendor; an officer or person owning (directly or indirectly) 5% or more of the shares of stock or other evidences of ownership in a corporate vendor; an owner of a sole proprietorship which is a vendor, or a partner in a partnership which is a vendor, has been convicted in this or any other State, or in any Federal Court, of any felony not related to the Medical Assistance Program, if such felony constitutes grounds for disciplinary action under the licensing act applicable to that individual or vendor.

b) If any of the activities described in subsections (a)(1) through (a)(9) above were engaged in prior to December 1, 1977, they may be used as the basis for termination only if the vendor had actual or constructive knowledge of the requirements which applied to his conduct or activities.

(Source: Amended at 16 Ill. Reg. 19146, effective December 1, 1992)

Section 140.19 Application to Participate or for Reinstatement Subsequent to Termination, Suspension or Barring

a) A vendor that has been terminated from the Medical Assistance Program may not apply to participate for at least one year from the date of the final administrative decision terminating eligibility. After one year a vendor who has been terminated may apply for reinstatement to the Medical Assistance Program program. If a vendor's application for reinstatement is denied by the Department, he shall be barred from again applying for reinstatement for one year from the date of the final administrative decision denying his application for reinstatement.

b) At the end of a period of suspension, a vendor that has been suspended from the medical Medical Assistance Program shall be reinstated automatically upon completion of the necessary enrollment

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forms and execution of a new vendor agreement unless it is determined that such vendor has not corrected the deficiencies upon which the suspension was based. If the deficiencies have not been corrected, the vendor shall, after notice and hearing, be terminated. The notice in any termination action based on this Section shall notify the vendor of the deficiencies not corrected.

- c) An individual barred pursuant to Section 140.18 can apply to participate in the Medical Assistance Program. If an individual's application is denied by the Department or if he is denied special permission under Section 140.32, he shall be barred from again applying for one year from the date of the final administrative decision denying his application or special permission.

(Source: Amended at 16 Ill. Reg. 19146, effective December 1, 1992)

Section 140.32

Prohibition on Participation, and Special Permission for Participation

- a) Prohibition on Participation by Terminated, Suspended or Barred Entities

- 1) Upon being terminated, suspended or barred and while such disability from Medical Assistance Program participation remains in effect, an entity:

- A) Cannot be a vendor, assume management responsibility for a vendor, own (directly or indirectly) 5% or more of the shares of stock or other evidences of ownership of a corporate vendor, become an owner of a sole proprietorship that is a vendor, become a partner of a vendor or become an officer of a corporate vendor;

- B) Cannot be an employer of a vendor; a person with management responsibility for an employer of a vendor; an officer of an employer of a vendor; an entity owning (directly or indirectly) 5% or more of the shares of stock or other evidences of ownership in an employer of a vendor; an owner of a sole proprietorship that employs a vendor; or a partner of a partnership that employs a vendor;

- C) Cannot order goods or services from a vendor when payment for such goods or services will be made in whole or in part by the Department;

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Section 140.32(a)(1) (continued)

- D) Cannot render goods or services as an employee of a vendor or as an independent contractor with a vendor for which payment will be made in whole or in part by the Department;
- E) Cannot, directly or indirectly, serve as a technical or other advisor to a vendor;

- F) Cannot, directly or indirectly, be an incorporator or member of the board of directors of a vendor;

- G) Cannot, directly or indirectly, be an investor in a vendor; and

- H) Cannot own (directly or indirectly) a 5% or greater interest in any premises or equipment leased by a vendor.

- 2) After the provision of written notice to the affected parties, the Department may deny payment for goods or services rendered or ordered by an entity that violates the provisions of subsections (a)(1), (2), (3) or (4). The Department may also pursue the imposition of all criminal and civil penalties as may be available and necessary.

- 3) Whenever an entity violates the provisions of subsections (a)(5), (6), (7) or (8) the Department may refer the matter for filing of an appropriate civil suit by the Attorney General or the State's Attorney to recover all benefits obtained improperly as well as treble damages or \$10,000.00 for each such violation whichever amount is greater, in accordance with the provisions of Ill. Rev. Stat., (1986) ch. 23., par. 11-27.

- b) Special Permission for Continuation or Reinstatement of Medical Assistance Program Participation for Barred Entities

- 1) Any entity barred pursuant to Section 140.18 may seek special permission to continue participation in the Medical Assistance Program or for reinstatement in the Program.

- 2) Special permission shall be granted only if the entity seeking such action demonstrates to the Department that it had no part in, and no knowledge of, the conduct which led to the decision to terminate upon which the barring was based or that it had no part in, and notified the Department as soon as it gained knowledge of, the conduct.

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Section 140.32(b) (continued)

- 3) In deciding whether to authorize the continued participation by, or reinstatement of, an entity that meets the conditions of subsection (b) the Director shall consider the following factors:

- A) Whether the entity requesting special permission demonstrates a fitness to participate in the Medical Assistance Program;
- B) The extent to which any legally enforceable debts owed to the Department by the applicant or an entity in which the applicant or his nominee held a substantial ownership interest have been paid;
- C) Any other circumstances reasonably related to the issue of whether the special permission should be granted.
- 4) Any entity that seeks special permission to continue or reinstate benefits shall submit a written request to the Director. Upon receipt of such a request, the Director or his designee shall review the request and any supporting documentation which accompanies it, and shall notify the entity of the decision within 60 days of receipt of the request, where practicable. In reviewing the request, the Director may require the entity to appear before and cooperate with a peer review committee of the Department.

- 5) An entity may request special permission only once. An entity that has been denied special permission may not apply for readmission under Section 140.14 for one year after the final decision to deny special permission. An entity that has been denied readmission under Section 140.14 or has an application under Section 140.14 pending with the Department may not apply for special permission.

- 6) Whenever a barred entity is readmitted to the Medical Assistance Program pursuant to this Section, the Director may make the vendor's continued participation contingent upon compliance with specified restrictions, including, but not limited to:

- A) Limiting the participation by the entity as to the location, type, volume or category of goods or services to be provided;
- B) Requiring that the entity obtain continuing education, or additional licenses or authorizations; and

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Section 140.32(b)(6) (continued)

- C) Any other terms or conditions which may be appropriate or required under the circumstances.

(Source: Added at 16 Ill. Reg. 19146, effective December 1, 1992)

Section 140.33 Publication of List of Terminated, Suspended or Barred Entities

- a) The Department shall publish a list of every entity that is currently terminated, suspended or barred from participation in the Medical Assistance Program. The list shall also include the period of suspension. The list shall be supplemented with additions and deletions each month, if any.
- b) The Department shall, upon request, mail the list and supplements, without charge, to associations and societies of vendors in the Medical Assistance Program, including their affiliates and components, and to all other entities that request it. Societies and associations of vendors and other entities that wish to receive the list are responsible for providing the Department with a current mailing address.
- c) An entity may file a written request for a list of any adverse actions against a particular entity that are not currently in effect. The Department shall respond in writing to such a request within ten days of receiving it.

(Source: Added at 16 Ill. Reg. 19146, effective December 1, 1992)

SUBPART E: GROUP CARE

Section 140.526 Quality Incentive Standards and Criteria for the Quality Incentive Program (QUIP) (Repealed)

- a) The five quality-incentive standards and the criteria for each are listed in the following subsections. These criteria shall be evaluated by the Department using a standardized assessment instrument.

- 1) The assessor will evaluate the level of achievement relying on the documentation provided, direct observation and resident and staff interviews.

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Section 140.526(a) (continued)

- 2) The burden of proof rests with the facility to demonstrate the inapplicability of the QUP standard for any resident through precise documentation in existence at the time of the assessment.
- 3) For purposes of this Section, documentation will mean as written and specified in the required comprehensive care plan, nursing charts, activity records or community contact logs. Documentation will require specificity such that the assessor will not need additional interpretation from facility staff as to the reasonableness of the facility's assertion regarding resident choice, needs, capabilities, progress, goals, activities and contacts. Documentation must relate specific information about resident diagnoses or impairment as necessary to support said assertions.

- b) Functional & Sensory-Stimulating Environment. This standard requires that the resident's environment promotes maximum independence and physical and mental functioning and lends meaning to life. Achievement of the standard will be demonstrated through on-site observation and evaluation of the facility environment including the interior and exterior areas of the facility, and the furniture and fixtures in those areas.

- 1) The QUP instrument will assign the following maximum points for this standard to each of the following areas:

A) Exterior	18 points
B) Interior---General	18 points
C) Interior---Congregate Areas	36 points
D) Communication Aids	42 points
E) Resident Rooms	30 points
F) Resident Toilet Rooms	24 points
G) Recreation Areas	18 points
H) Dining Area and Meals	18 points

- 2) If a criterion (item) in areas identified in subsections (b)(1)(A), (b)(1)(B), (b)(1)(C), (b)(1)(D), (b)(1)(G) and (b)(1)(H) is not applicable to a facility, the assessor will

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Section 140.526(b)(2) (continued)

- enter N/A (not applicable) opposite the item on the assessment instrument and award the maximum score possible per item.
- 3) Resident rooms and toilet areas will be evaluated using a two point measurement scale for each attribute for each room observed. Four resident rooms and adjoining toilet rooms in each unit will be evaluated. In addition, four bath rooms will be evaluated unless fewer than four are available in which case all will be evaluated. For other areas of evaluation scores will be assigned for each criterion on a range of points, where 0 represents that minimum standards are not exceeded, 3 represents that minimum standards sometimes or to a limited degree are exceeded, and 6 represents that standards are greatly or consistently exceeded.

- 4) Ten criteria will be used to evaluate the eight facility areas identified above, as appropriate. The criteria are:
- A) Facility cleanliness, fresh smelling, free of dirt, crumbs and clutter, free of stains or spots, in good repair.
- B) Bright and cheerful resident rooms which are personalized and colorful.
- C) Personal possessions in resident's room, such as pictures, furniture, wall hangings and decorations.
- D) Provision for privacy, i.e., the staff is considerate of resident needs.
- E) Sensory-compensating equipment, e.g., large print menus, talking books, visual cues to differentiate areas of home and adaptive equipment aids.
- F) Communication enhancers, e.g., furniture arrangement and communication boards.
- G) Residential atmosphere in congregate living space which promotes mobility and conversation, stimulating and vibrant.
- H) Presence of living things, e.g., pets and plants.
- I) Special purpose rooms for small and large group gatherings and special activities, e.g., library, including current magazines or newspapers, and music appreciation room.

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Section 140.526(b)(4)(I) (continued)

Magazines will be considered current when no more than three months old, newspapers when no more than two days old.

- j) Dining area atmosphere, i.e., meals and room promote socialization and self help and are attractive and appetizing.

- e) Resident Participation and Choice:--This standard requires that the resident enjoys a full scope of varied activities which offer continuity and opportunities for choice. A facility must meet the level of achievement on both of the following two criteria in order to demonstrate that the standard has been met.

- 1) Quality of the participation. This criterion requires that a quality plan of social/recreational activities will be established for all residents. Achievement will be measured by reviewing a targeted sample of care plans, which will be selected as follows:

- A) The sample will consist of 10%, but no less than 10 residents and a maximum of 20 residents, unless fewer than 10 residents eligible for review live in the facility, in which case, all of them must be included in the sample. Residents to be targeted for this sample whenever possible are residents who the assessor judges are least likely to have quality plans, as gauged by the assessor's observation of their inactivity, tenure in the facility, unique activity needs or social/behavioral problems.

- B) A score is derived by determining that the facility has established a quality plan of social/recreational activities. Each of the following five attributes of the plan when scored will be weighted equally and achievement determined by identifying the average percent of these attributes present in the social/recreational plans which are reviewed. The plan must be:

- i) related to resident interests and social ties, as expressed by the resident or family or friends of the resident;
- ii) individualized, i.e., the plan differentiates activities for residents based on differences in needs, abilities and interests.

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Section 140.526(c)(1)(B) (continued)

- iii) related to and included in the comprehensive care plan;
- iv) current, i.e., updated at least quarterly or more often as needs change (there must be evidence that goals are adjusted, as needed);

- v) designed to provide opportunities for resident selection of own activities, (for family/guardian participation in the selection, as appropriate).

- 3) Level of Resident Participation. This criterion requires that residents are meaningfully engaged in accordance with approved care plans. Achievement will be measured by observing all residents at two distinct periods of peak activity during a day. These times must be identified by the facility and may vary by day of the week.

- A) Level of achievement will be determined by identifying the percentage of residents meaningfully engaged at peak times. These residents who are prohibited from being meaningfully involved, as documented by physician orders, are exempt from this assessment.

- B) The list of activities which constitute being meaningfully engaged includes group activities, verbal interchange or personal interactions with other people, and individual or independent activities. It would not include aimless wandering, being unoccupied but awake in bed and staring into space.

- a) Community and Family Participation. Facilities must demonstrate high levels of community and family involvement in the facility and of resident involvement in the community. A facility must achieve both of the two criteria in order to receive the incentive payment for this standard.

- 1) Level of Participation. The facility must demonstrate that residents are interacting with community representatives or engaged in community work an average of two hours per week per resident. This participation may involve volunteers or family in the facility or residents involved or volunteering in the community. Achievement will be measured by reviewing facility records which document the number of hours and types of hours in which residents are involved in the community or interacting with community visitors during individual months. Two months of the last six will be assessed.

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Section 140.526(d)(1) (continued)

- A) Types of hours which must be documented in a log are:
- i) Family contact, e.g., home visits or visits from relatives,
 - ii) Volunteer one-on-one visits, personalized contact,
 - iii) Group contact or presentations, e.g., choirs, speakers and luncheons,
 - iv) Residents as volunteers,
 - v) Residents outside of the facility (excluding home visits),
 - vi) Other contacts.
- B) The level of contacts calculated to meet the standard has the following restrictions:
- i) No more than 25% of the required contact hours, i.e., number of residents multiplied by 8.6 as stated in subsection (d)(1), may be family related,
 - ii) Each home visit will count as two contact hours unless the visit is less than two hours in which case the actual number of hours is counted,
 - iii) No more than 10% of the required contact hours, i.e., number of residents multiplied by 8.6 as stated in subsection (d)(1), may be non individualized, e.g., group presentations,
 - iv) Hours will not be counted for community visitors required to be in the facility (e.g., therapists and embudemen),
 - v) Hours spent outside of the facility in required programs will not be counted (e.g., day programming),
 - 2) Quality of Participation--Achievement will be measured by reviewing the types of contacts which the facility has documented. The last six months of records will be reviewed. Achievement will be determined by scoring the contacts according to eight criteria which will be weighted equally. A score of 0-

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Section 140.526(d)(2) (continued)

- through 6 will be assigned to each criterion, where 0 represents that the criterion is rarely present, 3 represents that criterion is sometimes present, and 6 represents that the criterion is consistently present. Level of achievement will be calculated by deriving points earned as a percentage of total points possible. If a criterion (item) in Quality of Participation is not applicable to a facility, the assessor will enter N/A (not applicable) opposite the criterion on the assessment instrument. The maximum score possible per criterion, 6, is multiplied by the number of criterion marked N/A. This score is deducted from the maximum score possible, 48, and the resulting score multiplied by the required percentage (70% or 80%) for the applicable eligibility period to determine the score needed. The eight criteria follow:
- A) Diversity in scope of programs, i.e., varied types of contacts and involvement allow most residents to benefit,
 - B) Resident choice of programs, i.e., maximum opportunities for resident selection of types of contacts are available,
 - C) Appropriateness of activities to residents' physical, emotional and intellectual needs, i.e., available contacts address resident limitations, and are appropriate to resident capabilities,
 - D) Innovativeness, i.e., facility tries new approaches to increase ties to community,
 - E) Appropriate involvement of special populations, i.e., facility adapts programs to involve residents with special care needs,
 - F) Maintenance of normal relationship of resident to his/her community,
 - G) Appropriate mix of activities inside and outside of the facility, i.e., excursions are regularly scheduled,
 - H) Appropriate level of physically active involvement, i.e., community/resident activities encourage active involvement as well as listening and observing,
 - e) Resident Satisfaction--A sample of consumers of the facility's services or family members of guardians express a high level of-

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Section 140.526(e) (continued)

satisfaction regarding aspects of the resident's life that the facility affects.

- 1) The sample will consist of 10%, but no less than 10 residents and a maximum of 20 residents unless fewer than 10 residents eligible for review live in the facility, in which case, all of them must be included in the sample. Eligible residents are those residents with the ability to evaluate the criteria as reflected in the resident's comprehensive care plan or those residents who have representatives to respond in their behalf. Achievement will be measured by interviewing residents in regard to ten criteria. Family members or guardians may be interviewed when residents, as reflected in the comprehensive care plan, cannot comprehend or respond to an interview. The level of achievement will be determined by adding the total points earned in the aggregate and calculating the points earned as a percentage of points possible.

- 2) For these residents or their guardians as appropriate, each of the following ten (10) criteria will have the same maximum points. In addition, for each criterion, there will be five equally weighted choices of responses. Points will be assigned based on the degree to which the facility demonstrates the attribute in the resident's opinion. The criteria for this quality incentive standard include the residents (or their representatives):
 - A) Sense of physical safety
 - B) Perception of facility's cleanliness
 - C) Satisfaction with quality of food experience
 - D) Satisfaction with effectiveness and responsiveness of health care team
 - E) Sense of resident being treated with dignity
 - F) Resident retention of freedom of choice
 - G) Belief that resident is being assisted to perform activities as independently as possible
 - H) Sense of resident continuity with past experience, roles and persons

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Section 140.526(e) (2) (continued)

- I) Satisfaction with interpersonal relations within the facility (e.g., resident has a confidant who is a staff member) and
 - J) Feeling that resident privacy is respected.
- Effective Patient Care Management. There is a demonstrated emphasis on achievement of care plan goals and provision of intensive intervention programs in the facility. A facility may qualify for either component to receive half of the full incentive payment for the standard. To qualify for the full payment, the facility must meet the requirements for both components.
- I) Achievement of care plan goals. A facility will meet this criterion by assisting residents to gain greater functional independence. The criterion requires that care plan goals are established for all residents and that progress achieved toward these goals is to be documented monthly. Achievement will be measured using a sample of residents as outlined in subsection (c)(1)(A) of this Part. Achievement will be measured in terms of progress toward goals identified in the last six months. Level of achievement will be determined by calculating the points earned as a percentage of points possible. The IDPA assessor shall review care plans, approve care plan goals and compare resident functioning to care plan goals.
 - A) Goals will be selected that are appropriate to the resident. At a minimum, two physiological or one psychological and one sociological goal must be selected.
 - B) A facility receives two (2) points for each of five goals achieved for each resident; one (1) point when movement toward the goal is made but the goal is not achieved and zero (0) points when no movement is achieved.
 - 2) Intensive intervention programs. A facility must implement intensive nursing and related programs appropriate to the resident population from the list of ten categories in Section 140.526(f)(2)(B) of this Part. For the June 1985 assessment, three programs are required. For assessments after July 1, 1985, four programs are required. The facility must identify the programs to be assessed, equal in number to the number of programs required. IDPA will assess whether the programs identified by the facility meet the qualifications in Section 140.526(f)(2)(A) and address the needs of the residents of the facility.

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Section 140.526(f)(2) (continued)

- A) The programs must be currently operating with:
- i) defined program goals and patient-specific objectives;
 - ii) established treatment protocols and procedures or, for Advanced Nurse Aide Training, specific training outlines;
 - iii) mechanisms for ongoing monitoring and evidence of progress notes and of modifications in procedures or outlines based on monitoring results;
 - iv) established evaluation criteria and methodology; and
 - v) a list of program participants and evidence of participation.

B) Ten categories of intensive intervention programs have been identified. The intent of these programs must be to reduce disability and medical complications that result in great suffering and economic costs in the facility. The conditions targeted must be those which are prevalent in the facility, accompanied by a high incidence of disability, suffering and costly care, and which are responsive to directed, intensive programs of intervention. The programs are:

- i) Intensive Skin Care Program
- ii) Bowel and Bladder Program
- iii) Accident Monitoring and Evaluation Program
- iv) Contracture Prevention and Treatment Program
- v) Behavior Problem Management Program
- vi) Restorative Nursing Program
- vii) Community Integration Program
- viii) Discharge and Transfer Plan Program
- ix) Advanced Nurse Aide Training Program; and

Section 140.526(f)(2)(B) (continued)

- x) Innovative Programs, Appropriate to the Needs of the Facility's Resident Population. Programming for residents with Alzheimer's Disease is a suitable choice under this category, in facilities having Alzheimer's populations.
- C) Only one program for each category of programs listed above will qualify during the assessment, except that:
 - i) Intermediate Care Facilities for the Developmentally Disabled and Skilled Pediatric Nursing Facilities may designate and qualify for two innovative programs.
 - ii) Facilities may designate a second innovative program if that program is directed at a special resident population comprising at least 20% of the full census or
 - iii) Facilities may designate a second innovative program directed at residents with Acquired Immunodeficiency Syndrome (AIDS) or AIDS-Related Complex (ARC). Such a program could be developed in anticipation of admitting residents with AIDS to a facility. In the absence of AIDS residents, an AIDS-intensive intervention program will qualify as one of the four required programs for one assessment. In subsequent eligibility periods, the facility must house at least one resident with AIDS in order for the AIDS intervention program to continue in a qualifying status.
 - iv) Facilities may designate two Advanced Nurse Aide Programs. These programs must be based on progressive levels of skill or difficulty.

(Source: Repealed at 16 Ill. Reg. 19146, effective December 1, 1992)

Section 140.527 Quality Incentive Survey (Repealed)

- a) An IDPA assessor shall conduct an assessment of a facility's achievement of the Quality Incentive Standards semi-annually. The IDPA assessor shall utilize the QIP instrument to evaluate whether or not a facility meets the five basic qualifications as outlined in Section 140.525 and has achieved one or more of the quality incentive-

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Section 140.527(a) (continued)

standards as outlined in Section 140.526. The assessment will be conducted according to the schedule outlined in Section 140.528(d) of this Part.

- b) If an IDPA assessor discovers a serious problem in a facility's care or services during the assessment, he or she will discuss it with the facility and the IDPA regional supervisor. If the regional supervisor finds that the problem seriously jeopardizes the health, safety or welfare of residents, he or she will submit a written report to the Department of Public Health.

(Source: Repealed at 16 Ill. Reg. 19146, effective December 1, 1992)

Section 140.528 Payment of Quality Incentive (Repealed)

- a) The QIIP payment maximum is \$2.00 per day per resident.
- b) The allocation of payment among Quality Incentive Standards shall be as follows: Fifty percent (50%) of the incentive dollars will be allocated to the first four standards, under Sections 140.528(b) through (e). That allocation will be divided equally among the four standards. The remaining 50% will be allocated for standard (f) under that Section. "Effective Patient Care Management."
- e) The quality incentive assessment will be conducted once a year concurrently with the annual inspection of care survey. The rate will become effective on the facility's annual nursing IOC rate adjustment date.

- e) The Department shall provide written notification to the facility of the amount of the QIIP per diem payment within 45 days of the written notification of achievement.

- e) If a facility loses its Medicaid certification or State licensure or fails to continue satisfying the basic qualifications under Section 140.528(b), the Department shall terminate immediately any quality incentive payment(s). If the facility alters the program(s) upon which the QIIP Incentive Payment is based, the Department will reassess the altered program(s). If the reassessment results in a finding that the facility no longer qualifies for QIIP, IDPA will cancel the QIIP payment(s) after 10 days written notice from the Chief of the Bureau of Long Term Quality Care to the facility.

(Source: Repealed at 16 Ill. Reg. 19146, effective December 1, 1992)

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Section 140.529 Reviews (Repealed)

- a) A facility is entitled to review of its quality incentive assessment and QIIP rate in accordance with the following procedure. Each step of this procedure is a precondition to the next step. In other words, a facility must present all disagreements at the fact-finding session and/or Unit Conference to receive any other review and must have such an Unit Conference and a first level review to receive a second level review.

- b) On the last day of the on-site assessment, the assessor will conduct a Fact-Finding Session.

- 1) At the time of the Fact-Finding Session, the assessor will identify to the facility:

- A) the dates and times at which the assessment was conducted;
- B) the standards of the assessment which were completed and the reasons for non-completion;
- C) the documents reviewed as evidence of achievement or non-achievement of any standard;
- D) the time periods, if any, in which activity levels were observed, the names of the residents observed not to be meaningfully engaged, and the basis used for calculating scores;
- E) the rooms and areas of the facility visited and observed.

- 2) The assessor will give the facility the opportunity to comment on or contest the evidence used as the basis of the assessment and will record these comments and contested areas.

- 3) The assessor will accept additional documentation the facility may present as evidence for the assessment.

- 4) The assessor and facility representative will sign the QIIP-Fact Finding Session form.

- e) Within twenty (20) working days after the completion of the QIIP assessment, the Regional Supervisor will advise the facility in writing of its achievement and/or non-achievement of the Quality Incentive Standard. This notification will include a copy of the completed assessment instrument and notice to the facility that it can receive a first level review. It will identify where a request-

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for such review must be sent and the time limits within which such request must be made. For purposes of this subsection, the notice date will be either the date on which the written notice is sent by certified mail or the date on which the Department hand-delivers the written notice to the facility. The assessment is not concluded until a copy of the completed assessment instrument has been provided to the facility and an Exit Conference is conducted. (Exception--A completed copy of the Resident Satisfaction segment will not be provided to the facility).

- d) An Exit Conference will be conducted between the assessor and the facility within ten (10) working days of the mailing date or hand delivery date of the above notification.

- 1) During the Exit Conference, the assessor will discuss:

- A) assessment dates and hours;
- B) reason basic eligibility not met;
- C) parts completed;
- D) parts not completed and reasons;
- E) names of residents not meaningfully engaged, if applicable;
- F) rooms and areas visited;
- G) assessment results;
- H) the average score of the facility for each question asked on the Resident Satisfaction segment of the assessment;
- I) questions raised by facility;
- J) parts contested at this time; and
- K) procedures for requesting First Level Review.

- 2) The assessor will not identify those interviewed for assessment of Resident Satisfaction.

- 3) During the Exit Conference the facility may present additional supporting documentation that had been in place prior to the time of the QIP Assessment. If additional documentation is

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presented during the Exit Conference, the assessor will complete a form indicating whether a new recommendation will be forwarded to the regional supervisor. A copy of the form will be left with the facility. No additional supporting documentation will be accepted following the Exit Conference.

- 4) Based upon the newly presented documentation, the assessor will determine whether to give a new recommendation to the Regional Supervisor. If a new recommendation is made to the Regional Supervisor, the Regional Supervisor must notify the facility in writing of the results of the new recommendation within 20 working days of the Exit Conference.

- 5) The assessor and facility representative will sign the QIP Exit Conference Checklist and Summary.

- e) First level review

- 1) Request for review

- A) To request a review of the findings of the assessor, the facility must submit a written request to the address stated in the Regional Supervisor's notification as identified in Section 140.529(e), within ten (10) working days of:

- i) the date of the Exit Conference in the event that the assessor did not act upon new documentation presented at the Exit Conference; or

- ii) the date of mailing of the Regional Supervisor's written notice following the Exit Conference.

- B) For purposes of this subsection, "submit" means either the date the request is mailed, as evidenced by a United States mail postmark or the date on which the request is hand delivered to the Department at the address specified in the assessor's notification.

- 2) The written request for first level review must contain a comprehensive explanation of the facility's contentions regarding the assessor's findings, and may be accompanied by supporting documentation that had been in place prior to the time of the QIP Assessment and was presented for review up to and including the Exit Conference.

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Section 140.529(e) (continued)

- 3) The Area Supervisor will review the assessor's findings, along with the facility's request for review, to determine if such findings are correct or incorrect. The review will be limited to questions of fact supported by data presented up to and including the Exit Conference. The Area Supervisor's determination will evaluate whether all relevant evidence was considered in the original findings, whether the instrument was correctly applied, and whether procedures were followed consistent with Sections 140.525 through 140.529 of this Part.

- 4) The Area Supervisor will send written notification to the facility by certified mail of the determination of the first level review within forty-five (45) working days of the receipt of the facility's request for review. This notification will include if applicable, specific reasons why the facility's request for a higher QUP rating was denied. This notification will also inform the facility that it can receive a second level review and will identify where a request for such review should be sent and the time limits within which such request should be made.

5) Second level review

- 1) If the facility is not satisfied with the results of the first level review, it may request a second level review. To do so, the facility must submit a written request to the address stated in the Area Supervisor's letter (see Section 140.529(d)(4) above) within ten (10) working days of receipt of the Supervisor's notification. For purposes of this subsection, "submit" means either the date the request is mailed, as evidenced by a United States mail postmark, or the date on which the request is hand-delivered to the Department at the address specified in the assessor's notification.

- 2) The written request must contain a comprehensive explanation of the facility's contentions regarding the Area Supervisor's determinations.

- 3) The Chief of the Bureau of Long Term Care will review the Area Supervisor's determinations, the assessor's findings, the facility's request for first level review and the facility's request for second level review, to determine if the Area Supervisor's determinations are correct or incorrect. Evidence that was not available to the Area Supervisor will not be considered. The Bureau Chief will reverse the Area Supervisor's

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Section 140.529(f)(3) (continued)

determinations only if it is demonstrated that the Supervisor did not consider relevant evidence or finds the Supervisor's determinations against the weight of the evidence.

- 4) The Bureau Chief will send by mail written notification to the facility of the determination of the second level review within forty-five (45) working days of the receipt of the facility's request for second level review. This notification will include, if applicable, specific reasons why the facility's request for a higher QUP rating was denied. No other administrative review will be available.

9) Interim review

- 1) To request an interim QUP review, the facility must submit a written request to the Bureau of Long Term Quality Care Bureau Chief within 180 days from the last TOC/QUP assessment.
- 2) The written request must identify the part(s) that the facility wants assessed. Only those part(s) requested will be given a QUP assessment. No documentation is required.
- 3) The Bureau Chief will notify the facility within 45 days of receipt of the request that the request has been received and forwarded to the appropriate region.
- 4) The interim QUP assessment will be conducted within 60 days from the notification from the Bureau Chief.
- 5) The new QUP rate, if applicable, will be effective for the final six months of that facility's rate year.
- 6) First and second level appeals can be made based on instruction identified under this Section.

(Source: Repealed at 16 Ill. Reg. 19146, effective December 1, 1992)

Section 140.550 Components of the Base Rate Determination

Except as specified otherwise in this Section, rates calculated for the rate year beginning July 1, 1990, and for subsequent years thereafter shall be based on the facility's cost report for the facility's full fiscal year ending at any point in time during the previous calendar year as long as that cost

Section 140.560 (continued)

report is filed prior to April 1. Otherwise, the latest cost report available on March 31 will be used to set rates for July 1. For example, if a facility with a December 31, 1989, year end files their cost report prior to April 1, 1990, that cost report will be used to set rates for the rate year to begin on July 1, 1990. In this example, if the December 31, 1989, cost report is not filed until after March 31, 1990, the December 31, 1988, cost report will be used to set rates for the rate year to begin on July 1, 1990.

a) In the case of a change in ownership of a previously certified facility, the rate issued to the previous owner will be in effect for the remainder of the rate year. A new rate will be calculated for the next rate year based on the new owner's cost report if a cost report covering a minimum of the first six months of operation is received by the Office of Health Finance prior to April 1st. If a cost report covering the first six or more months of operation for the new owner cannot be filed with the Office of Health Finance prior to April 1st, the rate will be calculated based upon the prior owner's cost report filed in accordance with the opening paragraph of this Section. A cost report which has not been completed in accordance with the Department's rules and cost report instructions will not be considered as received until all cost report pages are properly completed.

b) In the case of a new facility, capital reimbursement will be assigned on the receipt of the first cost report (which may be an abbreviated cost report). The support reimbursement will be set at the median for that region. The facility must then file a six month cost report, (beginning with date the first patient was admitted) which contains actual historical cost information. The capital and support rates will then be recalculated based upon this cost report. Rates so calculated will go into effect on the first day of the first month after the six month cost report is received by the Department's Office of Health Finance. The facility must obtain written verification of the initial cost reporting periods from the Office of Health Finance.

c) When a construction addition to the building will increase the licensed bed capacity by 10 percent or more, the facility may file a revised cost report reflecting the increased capital investment. If this revised cost report is filed within 30 days of the date of the increase in licensure as determined by the Illinois Department of Public Health, any increase in the capital rate will be effective on the effective date of licensure increase. If the revised cost report is filed more than 30 days after the effective date of increase in

Section 140.560(c) (continued)

licensure, any increase in the capital rate will be effective on the first day of the first month after the report is received by the Finance Section.

d) Once a rate for an individual facility has been calculated, a new rate will not be calculated during the course of the rate year except as provided in subsections (b) and (c) above.

e) If a facility incurs building construction improvements which increase the total building cost for the current owner by ten (10) percent or more and which would raise the base year-greuping, then the nursing home may file a revised cost report which reports the increased capital investment. The base year is defined in Section 140.570(b)(2)-and-Beeten-149-Table-J-shews-the-greupings. If the improvements have been completed and put into use prior to the forthcoming rate year and the cost report reflecting increased capital costs is filed prior to the beginning of the next rate year, then any increase in the capital rate will be effective on the first day of the rate year.

f) In order to accommodate the downsizing or reduction in bed capacity of ICF/MR facilities licensed for ICF/DD or SNF/PED Services, the following provisions will apply for revisions to rates. These provisions only apply for facilities which decrease their total licensure level by 20% or more due to a decrease in the beds licensed as ICF/DD or SNF/PED. The reduced bed capacity must be appropriate to achieve one or more of the following goals: (1) achieve compliance with ICF/MR regulations, such as four or fewer persons per room, (2) achieve compliance with ICF/MR regulations in an adverse action as part of a Plan of Correction (77 Ill. Adm. Code 300.278), and (3) increase available space in order to provide services to persons with severe physical and/or medical conditions: i.e., persons who need services under Specialized Care-Health and Sensory Disabilities, Levels II and/or III (89 Ill. Adm. Code 144.150).

1) The facility must request pre-approval for application of these provisions from the Deputy Director of the Department's Division of Medical Operations. The written request must describe the necessity to reduce licensed bed capacity. The facility must send a schedule of the projected dates of each decrease in census. Written approval may be granted if the Deputy Director determines the change will be beneficial for the ICF/DD or SNF/PED residents.

2) The reduction in the number of licensed beds must be completed

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Section 140.560(f)(2) (continued)

within a one year period following the Deputy Director's approval, unless a longer reduction period is approved by the Deputy Director at the onset of the plan.

- 3) Capital rates will initially be set based upon provisions in Sections 140.570 through 140.574 with the use of capital days at a level which is no less than 93% of the license level at the time of application for downsizing. The support rate will be calculated in accordance with provisions in Section 140.561. The census used to calculate rates under this subsection is referred to as the original census in subsection (f)(4). These initial rates will be modified for downsizing in accordance with subsection (f)(4).

- 4) The capital and support rates will be revised every six months during the approved downsizing period. These rates will also be revised on July 1 of each year. The facility must file reports of days of care provided, as requested by the Department.

- A) The capital rate will be increased in proportion to the agreed upon decrease in the census for the six month period. For example, with an original census of 18,250 days and a projected census of 16,425, the initial \$6.00 capital rate will be increased to \$6.67 as follows: (the initial capital rate) is multiplied by (the original census which has been divided by a planned census reduction), or $(\$6.00) \times (18,250/16,425) = \6.67 . The projected census for each six month period will be adjusted by any difference between the projected census for the previous period and the actual census for the previous period.

- B) The support rate will be increased in proportion to the planned decrease in census during the six month period, with the assumption that 50% of the support costs are fixed and 50% of the support rate is variable. The variable half of the support rate will be increased in proportion to the planned census decrease over the six month period. For example, with an original support rate of \$22.00, the estimated support rate for the six month period would be $[(.5 \times \$22) \times (18,250/16,425)] + (.5 \times \$22) = \$23.22$. The projected census for each six month period will be adjusted by any difference between the projected census for the previous period and the actual census for the previous period.

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Section 140.560(f)(4) (continued)

- C) The program rate will be set according to the methodology described in 89 Ill. Adm. Code 144.275.

- 5) The support rate for ICF/DD facilities may not exceed the facility's HSA ceiling. Facilities having SNF/PED licenses, which are reducing facility census to comply with ICF/MR regulations which limit the number of persons per bedroom to four or fewer, may increase the facility's HSA ceiling but to no more than 125%. The exception allowing SNF/PED facilities to exceed the support rate HSA ceiling will only be based on the reduction in census to attain four or fewer persons per bedroom. If a SNF/PED facility reduces census below that required to attain four persons per bedroom, the support rate may not exceed the facility's HSA ceiling.

- 6) Bed Reserves. Facilities with a downsizing agreement with the Department will be exempt during the period of downsizing from the 93% or higher occupancy requirement which is specified in Section 140.523, Bed Reserves. Once the final agreed upon census has been achieved, all bed reserve requirements will again be in effect beginning with the quarter following completion of the downsizing agreement (January 1, April 1, July 1 or October 1).

(Source: Amended at 16 Ill. Reg. 19146, effective December 1, 1992)

Section 140.570 Capital Rate Component Determination

- a) Capital rates for all long term care facilities-- except State Institutions, Specialized Living Centers and campus facilities, and these--rated pursuant to arm's-length transactions prior to September 1, 1981--shall be reimbursed in the manner described in Sections 140.570 through 140.573. Capital rates for facilities rated prior to September 1, 1981 are set forth in Section 140.574. Capital rates for Specialized Living Centers are set forth in 140.579. Campus facilities are reimbursed in accordance with 140.583.

- b) The terms used in Sections 140.570 through 140.574 are defined as follows.

- 1) "Arm's-length transaction" means a transaction between a buyer and a seller both free to act, each seeking his own best economic interest. A transaction between related parties as defined in Section 140.537 is not considered to be an arm's-length transaction.

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Section 140.570(b) (continued)

- 2) "Base Year" refers to the weighted average year of investment in the actual construction of the building. The Base Year is determined using the components of the building cost, which are included in the Original Building Base Cost, and the corresponding years of acquisition or construction. The year of each component of the total investment is multiplied by the cost divided by the total Original Building Base Cost to yield an average year of construction. Any fractional portion of the Base Year derived from this calculation will be truncated. The Base Year will not change due to sale or lease of the building subsequent to January 1, 1978.

- 3) "Capital Days" are used to convert all capital items to per diem amounts unless otherwise specified. If a facility's occupancy rate is above 93%, then capital days shall be equal to the actual patient days. If occupancy is below 93%, then 93% of available bed days (the number of licensed beds multiplied by the number of calendar days in a period) shall be the capital days.

4) Building Basis:

- A) "Original Building Base Cost" means either the cost of construction or the cost of the latest purchase of the building in an arm's-length transaction prior to January 1, 1978. The allowable cost of subsequent improvements to the building will be included in the original building base cost. The original building base cost will not change due to sales or leases of the facility after January 1, 1978. In the case of a nursing home building constructed after January 1, 1978, the allowable construction cost plus the cost of subsequent improvements will be the original building base cost.

- B) "Current Owner's Base Cost" means the purchase price properly allocated to the long-term care portion of the building resulting from the current building owner's purchase in an arm's-length transaction. For any transaction after July 18, 1984, the current owner's base cost must be adjusted according to the provisions in Section 140.573(b).

- C) If a portion of the building is vacant or is used for functions other than a nursing home, then a portion of the

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Section 140.570(b)(4)(B) (continued)

building's original building base cost and the current owner's base cost will not be used in the rate calculation. This cost allocation will be based upon the proportion of the total square feet in the building being used for nursing home functions.

- 5) "Ceiling or group ceiling" means the per diem amount from Section 140.573(b)(4)(B) based upon the Base Year and Health Service Area (HSA) (See Section 140.573(b)(4)(B) grouping for the facility).

- 6) "Dodge Construction Index" means the index of changes in construction costs from year-to-year developed from the annual publication Dodge Construction Systems Costs as published by McGraw-Hill Cost Information Systems.

- 7) "Equipment Basis" means the purchase price of the movable equipment being used for long-term care purposes resulting from the purchase in an arm's-length transaction. Any purchase of previously used equipment from another nursing home after July 18, 1984 must have the Equipment Basis adjusted according to the provisions in Section 140.573(b).

- 8) "Vehicle Basis" means the purchase price of the vehicle used for nursing home operation. Only one automobile will be allowed to be included in the vehicle basis for each facility. If a portion of the use of the vehicle is for personal purposes or for purposes other than operation of the nursing home, then this portion of the cost must not be included in the vehicle basis. The facility is responsible for maintaining records which document the portion of the vehicle's use for nursing home operation.

- 9) "Fair Rental Percentage" means the percent rate of return on investment to be used in the rate calculation. This percentage shall be the average Treasury Bill 91-day return rate for the previous 12 months, except that the minimum Fair Rental Percentage will be 9.13 percent and the maximum shall be 13 percent.

- 10) "FRV" means "Fair Rental Value". Refer to Section 140.571.

- 11) "Rounded Average Year" refers to the average year of construction of the building and building improvements. This year is used to determine the proper construction inflation factor. The average year of construction shall be determined by

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Section 140.570(b)(5) (continued)

multiplying the year of each component of the total investment by the cost of each year's investment to yield an average year of construction or acquisition. This average age is rounded to the nearest whole year. A separate rounded average year must be calculated for the Original Building Base Cost and for the Current Owner's Base Cost.

- 12) "Updated Cost" or "Inflated Cost" refers to the appropriate cost updated for inflation.

- 6) "Rate of Return" will be 11.0% for base years which are 1979 and later and 9.13% for base years which are 1978 and earlier.

- 7) "Means New Construction Cost Per Square Foot" is defined as the costs published by the R.S. Means Company, Inc. Data will come from the most recent edition of the Means Square Foot Costs publication. The cost used per square foot for new construction is based upon nursing home construction projections using 40,000 square foot category with face brick with concrete block back-up and steel joists. The Means New Construction Cost Per Square Foot will be adjusted where necessary to ensure an increase of at least a three percent from the previous year but no more than a seven percent increase.

- 8) "Square Feet Per Bed" is defined as 316 square feet per bed. This was the average for existing long term care facilities in Illinois.

- 9) "Location". The long term care facilities will be separated into one of the following areas:

Northeast area - HSAs 6, 7, 8, 9
Downstate area - HSAs 1, 2, 3, 4, 5, 10, 11

- 10) "Uniform Building Value" is calculated using the following steps:

- A) The Means New Construction Cost Per Square Foot is multiplied by 316 square feet per bed to obtain a preliminary cost per bed. For example, \$68.65 cost per square foot times 316 equals a \$21,693 preliminary cost per bed.
- B) The preliminary cost per bed is multiplied by an adjustment factor to obtain the revised cost per bed for new construction. The adjustment factor is 1.30 for the

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Section 140.570(b)(10)(B) (continued)

northeast area and 1.19 for the downstate area. For example, a \$21,693 preliminary cost per bed times the 1.30 factor equals a \$28,200 revised cost per bed for the northeast area.

- C) The revised cost per bed for new construction will be the uniform building value for any facility for which the base year is the same as the current year. The current year is the calendar year in which the rate year starts. The uniform building value for facilities with a base year which is older than the current year will have the revised cost per bed for new construction discounted by a 3% obsolescence factor for each year between the base year and the current year. The uniform building value will be no lower than ten percent of the revised cost per bed for new construction. For example:

Base Year	Factor	Uniform Building Value
1991	100%	\$28,200
1990	97%	\$27,354
1989	94%	\$26,508
1988	91%	\$25,662
1987	88%	\$24,816
1986	85%	\$23,970
--	--	--
1975	52%	\$14,664
--	--	--
1960	10%	\$ 2,820

- 11) "Building Specific Historical Cost Per Bed" is the inflated original building base cost divided by the number of licensed beds on the cost report used to calculate rates for the rate year. If licensed beds changed during the cost report period, the licensed beds on the last day of the cost report period will be used as the divisor. The original building base cost is inflated based upon the Dodge Construction Index and the base year.

- 12) The "ERVMC" factor relates to equipment, rent, vehicle and working capital cost. The ERVMC factor will be the greater of \$1.75 per diem or the amount from the following calculation based upon a sample of 50% or more of all long term care facilities:

- A) Working Capital: Allowable support costs, nursing or

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Section 140.570(b)(12)(A) (continued)

program costs and administrative costs will be updated for inflation and be divided by Capital days and multiplied by 60 days to yield two months of Working Capital investment on a per diem basis.

- B) The per diem investment in equipment and vehicle will be added to the working capital investment on a per diem basis (the vehicle investment is limited to fifty cents per diem). This total investment is multiplied by 9.13%.
- C) The result of Step B is added to the per diem equipment rent cost to obtain an FRVNC base factor.

c) Any items of fixed equipment which are no longer in use or are not providing significant value for inpatient long term care purposes must not be reported on the cost report fixed asset schedules for land, buildings, equipment and vehicle. For example, portions of a building not being used for nursing home operations must not be reported. Any assets which were removed from the cost report depreciation schedules prior to the 1986 cost report due to the asset being fully depreciated may not now be included in the building or equipment basis. Also, if a vehicle is used partially for personal purposes or purposes other than operation of the nursing home then this portion of the cost must not be included in the vehicle cost section of the cost report.

d) No asset may be included in the building-building or equipment basis unless complete documentation for the cost and year of purchase or construction is maintained. This data must be maintained to facilitate efficient audit reviews by representatives of the Department.

(Source: Amended at 16 Ill. Reg. 19146, effective December 1, 1992)

Section 140.571 Fair Rental-Value-(FRV) Capital Rate Calculation

- a) The per diem investment is determined for each of the following components--building, movable equipment, vehicle, and working capital.
- b) Building--Use the lower of steps shown in subsections (1) or (2) below to determine the per diem investment in the building.
- 1) Determine the Original Building-Base-Cost and the resulting

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Reounded-Average-Year--The-Original-Building-Base-Cost-is-then updated-based-upon-the-Bodge-Construction-Index-inflation-factor for-the-appropriate-Rounded-Average-Year.

2) Determine-the-Current-Owner's-Base-Cost-and-the-resulting Reounded-Average-Year--The-Current-Owner's-Base-Cost-is-then updated-based-upon-the-Bodge-Construction-Index-inflation-factor for-the-appropriate-Rounded-Average-Year.

3) The-lower-of-the-updated-building-cost-from-subsections-(1)-or-(2)-will-be-divided-by-capital-days-to-determine-the-per-diem updated-building-investment.

e) Movable-equipment--The-allowable-equipment-cost-for-the-current owner-is-updated-from-the-midpoint-of-the-facility's-cost-report period-to-the-midpoint-of-the-rate-year-with-the-Chase-Econometrics-Producer-Price-Index-for-Furniture-and-Household-Durables--This updated-cost-is-divided-by-Capital-Days-to-determine-the-per-diem updated-equipment-investment.

d) Vehicle--The-original-allowable-purchase-price-of-the-vehicle-is inflated-from-the-midpoint-of-the-facility's-cost-report-year-to-the midpoint-of-the-rate-year-by-using-Chase-Series-Implicit-Price Deflator--Consumer-Expenditures-for-motor-vehicles-and-parts--The inflated-vehicle-cost-is-divided-by-Capital-Days-to-determine-the-per diem-updated-equipment-investment--Only-one-automobile-will-be allowed-per-facility.

e) Working-Capital--Allowable-support-costs, nursing-of-program-costs, and-administrative-costs-will-be-updated-for-inflation, and-be divided-by-capital-days-and-multiplied-by-60-days-to-yield-two-months of-working-capital-investment-on-a-per-diem-basis.

f) Return-on-Investment--The-per-diem-investments-from-subsections-(b) through-(e)-are-summed-and-multiplied-by-the-Fair-Rental-Percentage. The-resulting-per-diem-amount-is-the-return-on-investment.

g) Equipment-Rental--The-allowable-equipment-rental-cost-is-divided-by the-Capital-Days-to-determine-the-per-diem-equipment-rental.

h) Fair-Rental-Value-Rate--The-lower-of-the-following-will-become-the per-diem-FRV-rate

1) The-total-of-return-on-investment-from-subsection-(f)-and equipment-rental-from-subsection-(g).

2) The-Group-Ceiling-for-this-facility--The-appropriate-Group-

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Section 140.571 (continued)

Ceiling is determined based upon the Base Year of the Building and the HSA.

a) Determination of Blended Value1) The capital rate will be calculated through a blending of:

- A) the uniform building value and
- B) the building specific historical cost per bed.

2) If the building specific historical cost per bed (B) is less than the uniform building value (A), the blended value will be one-half of the difference between (A) and (B) added to (B) the building specific historical cost per bed. For example, if (B) is \$16,000 and (A) is \$20,000, the blended value will be \$18,000.

3) If the building specific historical cost per bed (B) is greater than the uniform building value (A), the blended value will be one-half of the difference between (A) and (B) added to (A) the uniform building value. In this situation, the blended value will be limited to 120% of the uniform building value (A). For example, if (B) is \$28,000 and (A) is \$16,000, the blended value will be \$19,200.

b) Rate Calculation

1) The blended value will be divided by 339 days. (The 339 days is 365 days times a 93% occupancy standard.)

2) The per diem value will be multiplied by the rate of return to obtain a building rate factor.

3) The ERVWC factor will be added to the building rate factor to obtain the preliminary capital rate.

4) The capital rate will be the greater of the preliminary capital rate from 3) or an implementation capital rate which is 115% of the FY'91 capital rate paid to the same licensed provider.

(Source: Amended at 16 Ill. Reg. 19146, effective December 1, 1992)

Section 140.572 Total Capital Rate

The total capital rate will be the ERV-rate from Section 140.571(a)(b)(4),

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plus the property tax rate from Section 140.578(b).

(Source: Amended at 16 Ill. Reg. 19146, effective December 1, 1992)

Section 140.573 Other Capital Provisions

a) If at the time of field audit, the auditors find that the records to support capital costs are not adequate to issue an unqualified opinion, that facility's capital reimbursement will not be allowed to exceed two-thirds of the Ceiling Rate for the proper base-year and HSA grouping the rate calculated from use of the uniform building value. The 120% blending factor in Section 140.571(a)(3) will not be allowed.

b) For any change of ownership after July 18, 1984, the cost basis of any asset shall be the lesser of the allowable acquisition cost of such asset of the first owner of record on or after July 18, 1984, or the acquisition cost of such asset to the new owner.

(Source: Amended at 16 Ill. Reg. 19146, effective December 1, 1992)

Section 140.574 Capital Costs Rates for Rented Facilities

Capital costs rates for facilities rented pursuant to arms-length transactions shall be reimbursed in the following manner:

a) Facilities rented pursuant to arms-length transactions prior to September 1, 1981, between unrelated parties shall receive their actual allowable per diem rental costs (with 93% imputed occupancy as specified in Section 140.570(b)(3)) up to 125% of their geographical group median of rental expense determined from the base-year cost report, plus an allowance for working capital, owned and rented equipment, and vehicle value which are computed pursuant to Section 140.571 (e) through (g) multiplied by the Fair Rental Percentage. The maximum reimbursement for rental facilities will be the ceiling consistent with the owned facilities as defined in Section 140.570(b)(5). Facilities which have been rented on or after January 1, 1978 will have their capital rate calculated in accordance with Sections 140.570, 140.571 and 140.572.

b) Allowable rental costs which were incurred prior to September 1, 1981, may not increase from year to year at a rate greater than the Consumer Price Index for Rents. For sale and leaseback transactions,

- the allowable rental cost cannot exceed the amount that would have been allowable if the provider had retained legal title. Facilities which have been rented continuously from an unrelated party since prior to January 1, 1978 or since the first day of operation for facilities constructed January 1, 1978 or later will not have a blended value calculated. The uniform building value will be substituted for the blended value in Section 140.571(a)(1).
- e) Facilities rented on or after September 1, 1981, will be reimbursed in accordance with the methodology described in Section 140.570.
 - d) For facilities rented during the period January 1, 1978 through August 31, 1981, the allowable rent expense will be based upon the allowable cost to the latest operator prior to January 1, 1978. The cost for the latest operator prior to January 1, 1978, will be inflated to the date of initial rental by the current operator by use of the Dodge Construction Index defined in Section 140.570(b)(6).
 - e) The base year for facilities rented prior to January 1, 1978, will be the year of the initial rental agreement for the nursing home operator in existence on December 31, 1977. Purchase or lease on or after January 1, 1978, will not change the base year for the facility. If the building was owned prior to January 1, 1978, and was subsequently rented, the base year will be determined based upon provisions in Section 140.570(b)(2).

(Source: Amended at 16 Ill. Reg. 19146, effective December 1, 1992)

Section 140.579 Specialized Living Centers

Specialized Living Centers (SLC's) shall divide their reimbursement for capital expenses with the State. The facility shall be reimbursed for actual capital expenses up to a maximum of \$2 per day. The balance of the capital reimbursement shall be retained by the State. In addition, for SLC's incurring necessary major capital improvements due to correction of original construction deficiencies or necessary major construction improvements mandated by the Department of Public Health (see Section 140.581), the expenses of such improvements will be paid up to a maximum of \$2.00 per day.

(Source: Amended at 16 Ill. Reg. 19146, effective December 1, 1992)

Section 140.580 Mandated Capital Improvements (Repealed)

For purposes of this Rule, renovations shall qualify as Mandated Capital Improvements when Public Health licensing standards require additional capital investment and the following conditions are met:

- a) The facility and specifically that portion of the facility under consideration had been previously certified.
- b) The first citation on the deficiency in question was after January 1, 1978.
- c) The increased investment mandated by the Department of Public Health causes the facility's capital costs to increase by more than \$2,000 annually.
- d) Prior to the investment the Department of Public Health certified a cost range for remedying the deficiency.
- e) Prior to the investment the facility has received all approvals required by Certificate of Need.

(Source: Repealed at 16 Ill. Reg. 19146, effective December 1, 1992)

Section 140.581 Qualifying as Mandated Capital Improvement (Repealed)

The process for qualifying a renovation as a "Mandated Capital Improvement" is as follows:

- a) After receiving a deficiency, the facility shall notify the Bureau of Group Care. The notice should specify the nature of the proposed improvement.
- b) The Bureau of Group Care will forward the notice to the Illinois Department of Public Health, which will certify that the details of the proposed additional investment:
- 1) have been mandated by the Department, and
- 2) have not been the subject of deficiencies prior to January 1, 1978.

The Department of Public Health will also set a dollar range for making the proposed improvements. This allowable cost range will be forwarded to the facility within sixty days of the receipt of the notification by the Bureau of Group Care.

- e) The facility will proceed with the mandated improvements, or with

DEPARTMENT OF PUBLIC AID

NOTICE OF ADOPTED AMENDMENTS

Section 140.581(d) (continued)

whenever Certificate of Need process is required for the particular circumstances,--(A) facility may, if it wishes, initiate Certificate of Need applications prior to certification of the need for investment in order to save time.)

- d) Upon completion of the improvements, the facility will notify the Office of Health Finance of the actual amount of the increased investment, including resulting increases in interest expense.

(Source: Repealed at 16 Ill. Reg. 19146, effective December 1, 1992)

Section 140. TABLE J HSA Grouping (Repealed)

HSA Grouping

Base Year	1-2-95-10	3--	4--	5--	6-7-8-9-9	11--
1980-and-later	\$8.96	\$8.69	\$8.69	\$8.69	\$8.96	\$8.87
1977,-78-8-179	6.66	6.29	6.25	4.85	6.96	6.29
1975-and-1976	4.25	5.24	5.55	4.85	6.44	5.24
1973-and-1974	4.67	4.22	4.55	3.69	5.21	4.22
1971-and-1972	3.71	3.03	3.27	3.11	4.49	3.02
1969-and-1970	2.97	2.25	3.22	3.02	3.12	2.25
Prior to Jan.-1,-1969	2.28	2.04	2.45	1.85	1.92	2.04

(Source: Repealed at 16 Ill. Reg. 19146, effective December 1, 1992)

ILLINOIS RURAL BOND BANK

NOTICE OF ADOPTED AMENDMENT

- 1) Heading of Part: Application Process for Governmental Units
- 2) Code Citation: 47 Ill. Adm. Code 410
- 3) Section Number: Adopted Action:
410.109 Amendment
- 4) Statutory Authority: Implementing and Authorized by Sections 2-7 and 2-8 of the Illinois Rural Bond Bank Act (Ill. Rev. Stat. 1991 ch. 17, par. 7202-7, 7202-8).
- 5) Effective Date of Rules: November 25, 1992
- 6) Does this rulemaking contain an automatic repeal date?
Yes X No
- 7) Does this amendment contain incorporations by reference?
- 8) Date Filed in Agency's Principal Office: October 13, 1992
- 9) Notice of Proposal Published in Illinois Register: 16 Ill. Reg. 11345, July 10, 1992.
- 10) Has JCAR issued a Statement of Objections to these rules? No
- 11) Differences between proposal and final version:
Section 410.109 c). The following was added at the recommendation of JCAR. "Cost of Issuance - the total amount to be charged a local government for Costs of Issuance for a bond issue shall not exceed 3% of the local government debt.
- 12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreed letter issued by JCAR? Yes.
- 13) Will these amendments replace an emergency rule currently in effect? Yes.
- 14) Are there any other amendments pending on this Part? No.
- 15) Summary and Purpose of Amendment: This amendment implements State policy of requiring bond issuing authorities to be self sustaining.

ILLINOIS RURAL BOND BANK

NOTICE OF ADOPTED AMENDMENT

- 16) Information and Questions regarding this adopted amendment shall be directed to:

Name: Don Norton, Executive Director
 Illinois Rural Bond Bank
 427 East Monroe, Suite 202
 Springfield, Illinois 62701
 Phone: PH# (217) 524-2663

The full text of the Adopted Amendment begins on the next page:

ILLINOIS RURAL BOND BANK

NOTICE OF ADOPTED AMENDMENT(S)

TITLE 47: HOUSING AND COMMUNITY DEVELOPMENT
 CHAPTER III: ILLINOIS RURAL BOND BANK

PART 410

APPLICATION PROCESS FOR GOVERNMENTAL UNITS

Section	
410.101	General Description
410.102	Applicant Eligibility
410.103	Pre-Filing Stage
410.104	Filing of Application
410.105	Approval of Application
410.106	Denial of Application
410.107	Priority of Application
410.108	Source of Payment and Nature of Obligation
410.109	Fees

AUTHORITY: Implementing and authorized by Section 2-7(c) of the Illinois Rural Bond Bank Act (Ill. Rev. Stat. 1991, ch. 17, pars. 7201-1 et seq.).

SOURCE: Emergency rule adopted at 14 Ill. Reg. 4712, effective March 9, 1990, for a maximum of 150 days; expired August 6, 1990; adopted at 14 Ill. Reg. 17357, effective October 9, 1990; emergency amendment at 16 Ill. Reg. 11345, effective June 24, 1992, for a maximum of 150 days; amended at 16 Ill. Reg. 19206, effective November 25, 1992.

Section 410.109 Fees

- a) The Bank charges the following fees:

- 1) Application Fee--Submitted with application and not-refundable:
 - a) \$250.00--on--issues--up--to--but--not--including--\$1,000,000 principal amount;
 - b) \$500.00--on--issues--of--\$1,000,000--up--to--but--not--including \$5,000,000--on--principal amount;
 - c) \$1,000.00--on--issues--of--\$5,000,000--principal amount--and--over--{this fee will be credited to the Administrative Charge upon approval of the application.
 - 2) Administrative Charge--1/4--of--the--principal amount--of bonds--issued--or--\$10,000--whichever is less--payable at closing.
 - 3) Annual Fee--Commencing January 1, 1990, the Annual Fee shall be 2/100th--of--the--original amount--of--the bond--issue--in--each year--in--which--bonds--or--notes--are--outstanding.
- b) These fees are designed to cover the operating expenses of the Bank.
- a) The Board of Commissioners of the Illinois Rural Bond Bank shall, by resolution, establish the schedule of fees and charges of the Rural Bond Bank.
 - b) Fees of the Rural Bond Bank are designed to cover the operating expenses of the Bank.
 - c) The total amount to be charged for Costs of Issuance and Annual Fee

ILLINOIS RURAL BOND BANK

NOTICE OF ADOPTED AMENDMENT(S)

for a bond issue shall not exceed the limits established by the Board of Commissioners of the Rural Bond Bank. Cost of Issuance - the total amount to be charged a local government for Cost of Issuance for a bond issue shall not exceed 3% of the local government debt.

(Source: Amended at 16 Ill. Reg. 19206, effective November 25, 1992)

ILLINOIS HEALTH CARE COST CONTAINMENT COUNCIL

NOTICE OF EMERGENCY AMENDMENTS

- 1) Heading of Part: Data Collection
- 2) Code Citation: 77 Ill. Adm. Code 2510
- 3) Section Numbers: Emergency Action:
2510.50 Amendment
2510.55 Amendment
2510.Appendix D Repeal
- 4) Statutory Authority: Section 2-3 of Article II and Section 4-2 of Article IV of the Illinois Health Finance Reform Act (Ill. Rev. Stat. 1991, ch. 111 1/2, pars. 6502-3 and 6504-2).
- 5) Effective Date of Amendments: November 25, 1992
- 6) Will this emergency amendment expire before the end of the 150-day period? No.
- 7) Date Filed in Agency's Principal Office: November 24, 1992
- 8) Reason for Emergency: Budgetary reduction of 54%.
- 9) A Complete Description of the Subjects and Issues Involved: The amendments reduce the time for timely filing of UB-82 data; revocation of transmittal form; and revises an Appendix.
- 10) Are there any other proposed amendments pending on this part? No.
- 11) Statement of Statewide Policy Objectives: The proposed amendments simplify and make more effective reporting requirements for hospital data information.
- 12) Time, Place and Manner in Which Interested Persons May Comment on this Rulemaking: Comments may be submitted in writing to Britt Hagen, Deputy Executive Director, Illinois Health Care Cost Containment Council, 4500 South Sixth Street Road, Suite 215, Springfield, Illinois 62703-5118. Written comments should be submitted no later than January 15, 1993.

The full text of the Emergency Amendments begins on the next page.

ILLINOIS HEALTH CARE COST CONTAINMENT COUNCIL

NOTICE OF EMERGENCY AMENDMENTS

TITLE 77: PUBLIC HEALTH

CHAPTER XI: ILLINOIS HEALTH CARE COST CONTAINMENT COUNCIL

PART 2510	
DATA COLLECTION	
Section	Purpose
2510.10	Outside Contractor
2510.20	Collection and Submission of Hospital Financial Data
2510.30	Submission of Medicare Cost Reports
2510.40	Collection of Information on Uniform Billing Form
2510.50	Report of Inpatient Discharges
2510.55	Quarterly Reports
2510.60	Special Studies and Analysis
2510.70	Confidentiality
2510.80	ILLINOIS HEALTH CARE COST CONTAINMENT COUNCIL
APPENDIX A	ANNUAL FINANCIAL DATA REPORT
APPENDIX B	MAGNETIC MEDIA RECORD FORMAT
APPENDIX C	UB-82 DATA FIELDS
APPENDIX D	HOSPITAL TRANSMITTAL FOR UB-82 DISCHARGE DATA (REPEALED)

AUTHORITY: Implementing Article IV and authorized by Section 2-3 of Article II of the Illinois Health Finance Reform Act (Ill. Rev. Stat. 1987 1991), ch. 111 1/2, pars. 6504-1 to 6504-5 and par. 6504-5 6504-5 and par. 6502-3)

SOURCE: Adopted and codified at 9 Ill. Reg. 12726, effective August 5, 1985; amended at 10 Ill. Reg. 18790, effective October 17, 1986; amended at 11 Ill. Reg. 1574, effective January 2, 1987; amended at 12 Ill. Reg. 6102, effective March 21, 1988; amended at 13 Ill. Reg. 334, effective December 30, 1988; amended at 14 Ill. Reg. 2078, effective January 19, 1990; amended at 16 Ill. Reg. 8980, effective June 3, 1992; emergency amendment at 16 Ill. Reg. 19210, effective November 25, 1992 for a maximum of 150 days.

NOTE: Capitalization denotes statutory language.

ILLINOIS REGISTER

ILLINOIS HEALTH CARE COST CONTAINMENT COUNCIL

NOTICE OF EMERGENCY AMENDMENTS

Section 2510.50 Collection of Information on Uniform Billing Form

a) Adoption of Uniform Billing Form UB-82/HCFA 1450

EFFECTIVE JANUARY 1, 1985, ALL HOSPITALS SHALL ADOPT A UNIFORM SYSTEM FOR SUBMITTING PATIENT CHARGES FOR PAYMENT FROM PUBLIC AND PRIVATE PAYORS. THIS SYSTEM SHALL BE BASED UPON THE ADOPTION OF THE UNIFORM HOSPITAL BILLING FORM UNIFORM BILLING 82/HEALTH CARE FINANCING ADMINISTRATION 1450 (UB-82/HCFA 1450) ("UB-82") HEREINAFTER DEVELOPED BY THE NATIONAL UNIFORM BILLING COMMITTEE. Section 4-2 of the Illinois Health Finance Reform Act (Ill. Rev. Stat. 1987 1991, ch. 111 1/2, par. 6504-2).

b) Acceptance of UB-82

EFFECTIVE JANUARY 1, 1985, THE DEPARTMENT OF INSURANCE SHALL REQUIRE ALL THIRD-PARTY PAYORS, INCLUDING BUT NOT LIMITED TO, LICENSED INSURERS, MEDICAL AND HOSPITAL SERVICE CORPORATIONS, HEALTH MAINTENANCE ORGANIZATIONS, AND SELF-FUNDED EMPLOYEE HEALTH PLANS, TO ACCEPT THE UNIFORM HOSPITAL BILLING FORM UB-82, WITHOUT ATTACHMENT; PROVIDED, HOWEVER, NOTHING IN THIS CHAPTER SHALL NECESSARY TO DETERMINE ELIGIBILITY FOR BENEFITS OR LIABILITY FOR REIMBURSEMENT FOR SERVICES PROVIDED. THE ILLINOIS DEPARTMENT OF PUBLIC AID SHALL NOT BE REQUIRED TO ACCEPT THE UNIFORM HOSPITAL BILLING FORM UB-82 PRIOR TO OCTOBER 1, 1985, Section 4-2 of the Illinois Health Finance Reform Act (Ill. Rev. Stat. 1987 1991, ch. 111 1/2, par. 6504-2).

c) Filing of UB-82 Information with the Council

Extracts of UB-82 bills for inpatient services shall be prepared by hospitals according to the following regulations.

- 1) All hospitals may file UB-82 discharge data with the Council for discharges occurring during the first calendar quarter of 1985 on hard copy. Subsequent to that period, only hospitals not having data processing equipment capable of producing data in one of the

ILLINOIS HEALTH CARE COST CONTAINMENT COUNCIL

NOTICE OF EMERGENCY AMENDMENTS

acceptable magnetic formats specified in subsection (c)(2) below shall file hard copy UB-82 information with the Council. Such information shall be filed with the Council on a UB-82 form or a facsimile of UB-82 with the confidential fields specified in subsection (e) below deleted.

2) Data Submission Standards

- A) After submission of first quarter 1985, UB-82 data extracts shall be submitted in a magnetic format if the hospital is equipped with data processing equipment capable of producing data in one of acceptable magnetic formats. The physical specifications of the magnetic tape shall be any size reel of magnetic tape, recorded in 9 track, Extended Binary Coded Decimal Interchange Code mode, with density equal to 1600 bytes per inch ("BPI") or 6250 BPI. Acceptable formats for submission of data on floppy disk will be determined by the Council.

- A) After the first quarter of 1985, UB-82 data extracts shall be submitted in a magnetic format. Acceptable magnetic and electronic formats for submission of data will be determined by the Council. The Council shall make no changes to the media-acceptable standards without a minimum of 30 days notification to the affected hospitals except where errors or omissions in published standards and procedures make impossible the submission of data by the means described in the published standard. In such cases, the Council may immediately publish changes and immediately put them into effect.

- B) The tape shall have standard labels or be unlabeled. Non-standard labels should not be utilized. The logical record length should be 572 and the blocking factor should be 10; i.e., BLKSIZE equals 5720. Each file submitted is to contain one header record, the UB-82 logical records, and one trailer record. The header record is the first record on the file, and the trailer record is the last record on the file. Formats for these records are presented in Appendix B.

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- C) Revision of data originally filed on a magnetic or electronic format must be filed on a magnetic or electronic format reporting the entire logical record for each record changed.

- D) For each patient, the data elements described in subsection (d) below form a record of 572 characters. Each record must be prepared as recorded on a magnetic or electronic record tape in the format described below in Appendix B of this part. In all instances data elements contained on the uniform bill (UB-82) will be recorded in accordance with the requirements for completing the form as described in subsection (d) below. The precise record form is as found in Appendix B of this Part.

- E) All claims transactions submitted to the Council must be covered by one or more properly completed Transmittal Forms as defined by the Council. The form shall contain at least the following information:

Submitter Information

Information about the hospital name and address, hospital ID number, contact name and phone number, and other information as may be useful in identifying the submission and contacting other parties responsible for resolving errors;

Batch/Record Identification

Information regarding the means or media of submission, indication of date submitted, and other information required by the Council to process the submission;

Actual Number of Discharges

Information regarding the number of discharges occurring at the reporting hospital during a given month. The form shall be prepared and registered as required by Public Act 80-1338 as amended November 27, 1985. The Council may change the

ILLINOIS HEALTH CARE COST CONTAINMENT COUNCIL

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format and content of the form from time to time within limits which do not impair consistency with the content enumerated above, but in no case shall reject submissions using an obsolete form without at least 30 calendar days notice to the affected hospitals.

F) The Council may allow for the submission of claims data by Electronic Data Interchange as an optional data submission mechanism for hospitals who are equipped to participate. Using record formats as defined elsewhere in this rule and providing for transmittals to be received either physically or by facsimile, the Council may, as budget permits, identify and publish standards for compression, telecommunications rates and protocols, sign-on, file transfer and other EDI-related methodologies using such a method and applying such standards to allow hospitals and their agents to submit UB-82 data over telephone lines and through commercial bulletin board services as determined feasible and desirable by the Council. The Council shall develop such standards with regard to the capabilities of hospitals to use the optional method, and such capability is to be determined by a census taken prior to the implementation of any such submission mechanism. The Council shall make no changes to the EDI-related standards without a minimum of 30 days notification to the affected hospitals except where errors or omissions in published standards and procedures make impossible the submission of data by the means described in the published standard. In such cases, the Council may immediately publish changes and immediately put them into effect.

3) For quarters ending before July 1, 1992, hospitals shall file complete UB-82 data for ninety five percent (95%) of all discharges within sixty (60) calendar days of the last day of the calendar month in which the patient was discharged or died. The complete UB-82 data for the remaining five percent (5%) of all discharges must be filed within one hundred eighty (180) calendar days of the last day of the calendar month in which the patient was discharged or died. Hospitals will be allowed twenty (20) calendar days to correct any UB-82 data submission errors identified by the Council. For quarters beginning

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July 1, 1992, hospitals shall file complete UB-82 data for ninety five percent (95%) of all discharges within sixty (60) calendar days of the last day of the calendar month in which the patient was discharged or died. The complete UB-82 data for the remaining five percent (5%) of all discharges must be filed within ninety (90) calendar days of the last day of the calendar month in which the patient was discharged or died. Hospitals will be allowed twenty (20) calendar days to correct any UB-82 data submission errors identified by the Council.

4) Hospitals will not be required to file UB-82 information on patients for whom a bill is generated exclusively for the Illinois Department of Public Aid until October 1, 1985. The Illinois Department of Public Aid shall report to the Council the data listed in subsection (d) below for the discharges occurring during the period January 1, 1985, through September 30, 1985.

d) Required UB-82 Data

The Council, in cooperation with the State Departments of Public Aid, Insurance, and Public Health, shall establish a system for the collection of the following information from hospitals utilizing the raw data available on the uniform hospital billing form UB-82. Such data determined as necessary by the Council shall be filed for every discharge regardless of payor and shall include the UB-82 data fields coded according to the Council's requirements as found in Appendix C of this Part.

e) Confidential UB-82 Data

The following UB-82 data fields have been determined to be confidential by the Council and may not under any circumstances be filed with the Council:

Field	Subfield	Description
10	n/a	Patient's Name
11	n/a	Patient's Address (except zip code)
34	n/a	Responsible Party Name and Address
65	n/a	Insured's Name

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68	n/a	Insured's Certificate Number, Social Security Number, Health Insurance Identification Number
74	n/a	Employee Identification Number
94		Remarks

f) Hospital Identification Number

The Medicaid identification number assigned by the Medical Assistance Program of the Illinois Department of Public Aid is the required hospital identification number and shall be recorded in field 8 on all UB-82 records filed with the Council. Hospitals not participating in the Medical Assistance Program shall immediately request a number be assigned by the Council. The request shall be made to the Executive Director.

g) Self Administered Insurance Plan Identification Number

Self administered insurance plans and health and welfare funds may request an identification number from the Council. The request shall be made to the Executive Director. The identification number must be obtained and used if the plan or fund desires to obtain reports on its members from the Council.

h) Small Hospital Exemption

The Council shall exempt hospitals with fewer than fifty (50) beds licensed under the Hospital Licensing Act (Ill. Rev. Stat. 1991, ch. 111 1/2, pars. 1542 et seq.) from the filing of UB-82 data with the Council if the Council finds that compliance would impose undue economic hardship on the hospital and if the Council determines that the data from these hospitals are not essential to its data base and its concomitant health care cost comparison efforts. In determining whether compliance will constitute an undue economic hardship the Council will consider the cost to the hospital, both in relation to initial costs to obtain the capability to generate data in this format, and the routine cost of generating such data compared to the ability of the hospital to absorb the added cost of such production. Hospitals with less than fifty (50) beds licensed under the Hospital Licensing Act anticipating compliance to impose an undue economic hardship may file with the Council a request for an exemption. Such request must document the undue economic hardship.

ILLINOIS HEALTH CARE COST CONTAINMENT COUNCIL

NOTICE OF EMERGENCY AMENDMENTS

i) Sample Size

Hospitals shall file the required UB-82 data specified in this Part for each discharge.

j) Payment for Submission of UB-82 Data

4) Beginning with the payment for the July to December 1987 discharge period, reimbursement will be made semi-annually in January for correct discharge data appearing on the Illinois Health Care Cost Containment UB-82 data base for the previous January 1 to June 30 period and in July for correct discharge data appearing on the Illinois Health Care Cost Containment UB-82 data base for the previous July 1 to December 31 period. Under the intent of this provision, there will be no January 1988 payment. The first payment under the revised rule will be made in July 1988; payment will be made every six months thereafter.

2) The payment to be made January 1, 1989, for hospital discharges occurring between January 1, 1988, through June 30, 1988, for hospitals that have submitted seventy-five (75%) correct of all discharges shall be \$420.00. Beginning with the payment to be made July 1, 1989 for hospital discharges occurring between July 1, 1988 and December 31, 1988, and payments thereafter, each hospital that has submitted eighty-five percent (85%) correct of all discharges shall be reimbursed at a semi-annual rate of \$420.00. Hospitals that do not meet the threshold percentage of correct discharges shall not be reimbursed.

Beginning with the payment to be made after July 1, 1991, for hospital discharges occurring between July 1, 1990 and December 31, 1990, and payments thereafter, each hospital that has submitted ninety-five percent (95%) correct of all discharges shall be reimbursed at a semi-annual rate of \$420.00. In the event that appropriations for the line item are inadequate, the payments will be reduced proportionately. Hospitals that do not meet the threshold percentage of correct discharges shall not be reimbursed.

ILLINOIS HEALTH CARE COST CONTAINMENT COUNCIL

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(Source: Emergency Amendment at 16 Ill. Reg. 19210 effective November 25, 1992, for a maximum of 150 days)

Section 2510.55 Report of Inpatient Discharges

- a) Effective within thirty (30) days of the effective date of this Section, each hospital shall provide, in writing to the Executive Director, a list by calendar month of the total number of hospital inpatient discharges including new born discharges for the calendar months of April, 1985 through December, 1986 (in the case of multiple births, each child is counted as a discharge).
- b) Effective with the filing of UB-82 discharge data on or after the effective date of this Section each hospital shall be required to file with each submission of data, the transmittal form ~~shown in Appendix D with items #1 through #7 completed~~ as defined by the Council pursuant to the authority given in Section 2510.50 (c)(2)(e).
- c) Effective beginning with calendar month January, 1989, each hospital shall within 30 calendar days following the last day of a calendar month, submit in ~~item #8 of Appendix D~~ the actual total number of hospital inpatient discharges for that calendar month as defined by the Council pursuant to the authority given in Section 2510.50 (c)(2)(e).
- d) A hospital may submit ~~item #8 in Appendix D~~ the actual number of hospital inpatient discharges either in conjunction with or separately from the submission of UB-82 discharge data as defined by the Council pursuant to the authority in Section 2510.50 (c)(2)(e).

- e) All filings required in subsections (a) through (d) above shall be sent to:

Illinois Health Care Cost Containment Council

~~616 Precise Data Service, Attention: Data Control Clerks~~

~~7550 Plaza Court~~

~~Willebroek, Illinois 60521~~

Attention: Field Operations

4500 South Sixth Street Road, Suite 215

Springfield, Illinois 62703-5118

ILLINOIS HEALTH CARE COST CONTAINMENT COUNCIL

NOTICE OF EMERGENCY AMENDMENTS

(Source: Emergency Amendment at 16 Ill. Reg. 19210, effective November 25, 1992, for a maximum of 150 days)

Section 2510 APPENDIX D Hospital Transmittal for UB 82 Discharge Data (Repealed)

SUBMITTER IDENTIFICATION ITEMS

- 1) Hospital Name/Address

- 2) Hospital ID#

- 3) Contact Person

- 4) Phone Number () _____ Ext. _____

RECORD-BATCH IDENTIFICATION ITEMS

- 5) Data Submission Media: Hard Copy Tape Diskette Error Report
- 6) Period Covered From / / To / /
- 7) Date Sent to Council / /
- Number of UB-82 Records by Month:
Month _____
Number _____

MONTHLY NUMBER OF ACTUAL HOSPITAL INPATIENT DISCHARGES

- 8) Total number of inpatient hospital discharges for the calendar month (MM/YY)

(MM) (YY) (Total Number)

PLEASE SEND THIS TRANSMITTAL SHEET WITH ALL DOCUMENTS AND/OR TAPE AND/OR DISKETTES TO:

ILLINOIS HEALTH CARE COST CONTAINMENT COUNCIL

~~616 Precise Data Service~~

~~7550 PLAZA COURT~~

ILLINOIS HEALTH CARE COST CONTAINMENT COUNCIL

NOTICE OF EMERGENCY AMENDMENTS

WILLOW BROOK, ILLINOIS 60524
ATTENTION: DATA CONTROL CLERKS

HOSPITAL TRANSMITTAL FOR UB-82 DISCHARGE DATA

INSTRUCTIONS FOR COMPLETION

Items 1 through 4 are to identify the hospital name, hospital 12 digit ID#, and contact persons and must always be completed for each submission of a batch of UB-82 discharge records and/or each submission of information contained in Item 8 to the Council.

SUBMITTER IDENTIFICATION ITEMS

- Item 1: Hospital Name/Address: Enter the complete name and address of the hospital submitting the transmittal.
- Item 2: Hospital ID#: Enter the 12 digit hospital ID# assigned by the Department of Public Aid.
- Item 3: Contact Person UB-82 Coordinator: Enter the name of the individual to be contacted by Council if there are any question questions regarding the transmittal.
- Item 4: Phone Number: Enter the phone number of contact person UB-82 Coordinator.

Items 5 through 7 are to identify characteristics of the batch of records and must always be completed for each submission of a batch of UB-82 discharge records to the Council.

RECORD BATCH IDENTIFICATION ITEMS

- Item 5: Record Submission Media: Check the appropriate medium "Hard Copy" UB-82 discharge records, "Tape" UB-82 discharge records, "Diskette" UB-82 discharge records, or "Error Report" with corrections made on hard copy.

ILLINOIS HEALTH CARE COST CONTAINMENT COUNCIL

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- Item 6: Period Covered: Enter the dates of the earliest and latest UB-82 discharge records included with the submission.

- Item 7: Date Sent to Council: Enter the date the submission is sent to the Council (PDS).

Number of UB-82 Records by Month: Enter on the top lines the names of each month for which dates are being submitted (in reverse chronological order) and on the bottom lines the number of records submitted for the corresponding months. Note: Each UB-82 is counted as a record. One discharge which uses two UB-82 forms is counted as two records. Records should be batched by month of discharge.

Item 8 is to report the number of actual discharges experienced by the hospital for a calendar month, not the number of discharges submitted to the Council, and must be completed and submitted to the Council within 30 days of the end of each calendar month. Item 9 information is separate and distinct from the information to be contained in items 5 through 7. When correctly submitted, there are to be 12 item 8's submitted during each year. Item 9 information can be transmitted without any batched UB-82 discharge records, which would result in items 5 through 7 being blank.

MONTHLY NUMBER OF ACTUAL HOSPITAL INPATIENT DISCHARGES

- Item 9: Enter the total number of inpatient discharges for the calendar month. For purposes of Council reporting, the total number of discharges must include newborn discharges regardless of whether separate or combined UB-82 records were issued for the newborns.

(Source: Emergency Rule Repealed at 16 Ill. Reg. 19210 effective November 25, 1992 for a maximum of 150 days)

ILLINOIS HEALTH CARE COST CONTAINMENT COUNCIL

NOTICE OF EMERGENCY AMENDMENTS

TITLE 77: PUBLIC HEALTH

CHAPTER XI: ILLINOIS HEALTH CARE COST CONTAINMENT COUNCIL

PART 2540
PENALTIES

Section	Criminal Penalties
2540.10	Referral to State's Attorney
2540.20	Request for Injunction
2540.30	

AUTHORITY: Implementing Article V and authorized by Section 2-3 of Article II of the Illinois Health Finance Reform Act (Ill. Rev. Stat. 1985 1991), ch. 111 1/2, pars. 6505-1 to 6505-2 and par. 6502-3).

SOURCE: Adopted at 9 Ill. Reg. 12778, effective August 5, 1985; amended at 12 Ill. Reg. 6114, effective March 21, 1988; emergency amendment at 16 Ill. Reg. 19223 effective November 25, 1992, for a maximum of 150 days.

NOTE: All capital letters denotes statutory language.

Section 2540.30 Request for Injunction

- a) Whenever the Council finds that it is necessary in order for the Council to effectively perform its duties pursuant to the Act, it may request the State's Attorney of the county in which an alleged violation of the Act or this Chapter occurred, or the Attorney General, to bring an action for injunction against any hospital violating the provisions of the Act or this Chapter.

- b) The Council will send ~~three~~ two warning letters to hospitals who are out of compliance with its requirements for the correct submission of financial data and UB-82 data as set forth in 77 Ill. Adm. Code 2510. The letters will be sent within 60 days of the time the hospital is determined to be out of compliance, the first letter being sent no later than 20 days and the second letter no later than 40 days after the hospital is determined by the Council to be out of compliance. The letters will be sent registered certified mail return receipt requested.

ILLINOIS HEALTH CARE COST CONTAINMENT COUNCIL

NOTICE OF EMERGENCY AMENDMENTS

- 1) Heading of Part: Penalties
- 2) Code Citation: 77 Ill. Adm. Code 2540
- 3) Section Numbers: Emergency Action:
2540.30 Amendment
- 4) Statutory Authority: Implementing Article V and authorized by Section 2-3 of Article II and Section 5-2 of Article V of the Illinois Health Finance Reform Act (Ill. Rev. Stat. 1991, ch. 111 1/2, pars. 6502-3 and 6505-2).
- 5) Effective Date of Amendments: November 25, 1992
- 6) Will this emergency amendment expire before the end of the 150-day period? No.
- 7) Date Filed in the Agency's Principal Office: November 24, 1992
- 8) Reason for Emergency: Budgetary reduction of 54%.
- 9) A Complete Description of the Subjects and Issues Involved: The amendments reduces the time from three to two the number of warning letters sent to hospitals who fail to timely submit data, and provides for certified mail rather than registered mail.
- 10) Are there any other proposed amendments pending on this part? No.
- 11) Statement of Statewide Policy Objectives: The proposed amendment simplifies and makes more effective reporting requirements for hospital data information.
- 12) Time, Place and Manner in Which Interested Persons May Comment on this: Rulemaking: Comments may be submitted in writing to Britt Hagen, Deputy Executive Director, Illinois Health Care Cost Containment Council, 4500 South Sixth Street Road, Suite 215, Springfield, Illinois 62703-5118. Written comments should be submitted no later than January 15, 1993.

The full text of the Emergency Amendments begins on the next page.

DEPARTMENT OF INSURANCE

NOTICE OF EMERGENCY AMENDMENTS

1) Heading of the Part: Minimum Standards for Individual and Group Medicare Supplement Insurance

2) Code Citation: 50 Ill. Adm. Code 2008

3) Section Numbers: Emergency Action:
2008.73 Amendment

4) Statutory Authority: Implementing Sections 363 and 363a and authorized by Section 401 of the Illinois Insurance Code (Ill. Rev. Stat. 1991, ch. 73, pars. 975, 975a and 1013).

5) Effective Date of Amendment: December 1, 1992

6) If the emergency amendment is to expire before the end of the 150-day period, please specify the date on which it is to expire:

7) Date Filed in Agency's Principal Office: December 1, 1992

8) Reason for Emergency: The Health Care Financing Administration (HCFA) will be identifying the State of Illinois as a participant in the Medicare Select Program. This announcement will be made on or around January 1, 1993, by publication in the Federal Register. The change being made herein could not be accomplished through the regular rulemaking process.

9) A Complete Description of the Subjects and Issues Involved:
A Medicare Select provider will be able to offer the insured coverage which differs from the standard Medicare policy in that restricted network provisions are utilized.

10) Are there any proposed amendments to this Part pending? No

11) Statement of Statewide Policy Objectives: This emergency amendment will not require a local government to establish, expand or modify its activities in such a way as to necessitate additional expenditures from local revenues.

ILLINOIS HEALTH CARE COST CONTAINMENT COUNCIL

NOTICE OF EMERGENCY AMENDMENTS

c) The first letter will be a reminder that data are is due. ~~The second letter will be a second reminder that the data is due.~~ The final letter will indicate that if the hospital does not provide a satisfactory response within ten days that the Council shall request an injunction.

d) A satisfactory response from a hospital shall be the submission of the late data or a response acceptable to the Council from the hospital demonstrating that either compliance is impossible or that the hospital is actively undertaking those steps necessary to submit the late data. Compliance is impossible when the Council determines that it would constitute a burden outweighing the benefit to the public that would be obtained by the submission of data.

(Source: Emergency Amendment at 16 Ill. Reg. 19223, effective November 25, 1992, for a maximum of 150 days)

DEPARTMENT OF INSURANCE

NOTICE OF EMERGENCY AMENDMENTS

12) Information and questions regarding this amendment:

Mark Fulgenzi, Insurance Analyst
 Illinois Department of Insurance
 320 West Washington Street
 4th Floor
 Springfield, Illinois 62767

The full text of the Emergency Amendments begins on the next page:

DEPARTMENT OF INSURANCE

NOTICE OF EMERGENCY AMENDMENTS

TITLE 50: INSURANCE

CHAPTER I: DEPARTMENT OF INSURANCE

SUBCHAPTER z: ACCIDENT AND HEALTH INSURANCE

PART 2008

MINIMUM STANDARDS FOR INDIVIDUAL AND GROUP

MEDICARE SUPPLEMENT INSURANCE

Section	Authority
2008.10	Purpose
2008.20	Applicability and Scope
2008.30	Definitions
2008.40	Policy Definitions and Terms
2008.50	Policy Provisions
2008.60	Benefit Conversion Requirements During Transition (Repealed)
2008.61	Minimum Benefit Standards for Policies or Certificates Issued for Delivery Prior to the Effective Date of this Part
2008.70	Benefit Standards for Policies or Certificates Issued or Delivered on or After the Effective Date of this Part
2008.71	Standard Medicare Supplement Benefit Plans
2008.72	Medicare Select Policies and Certificates
2008.73	Open Enrollment
EMERGENCY	Standards for Claims Payment
2008.74	Loss Ratio Standards and Refund or Credit of Premium
2008.75	Filing and Approval of Policies and Certificates and Premium Rates
2008.80	Permitted Compensation Arrangements
2008.81	Required Disclosure Provisions
2008.82	Requirements for Application Forms and Replacement Coverage
2008.90	Standards for Marketing
2008.100	Appropriateness of Recommended Purchase and Excessive Insurance
2008.101	Reporting of Multiple Policies
2008.102	Prohibition Against Preexisting Conditions, Waiting Periods, Elimination Periods and Probationary Periods in Replacement Policies or Certificates
2008.103	Severability
2008.104	Effective Date (Repealed)
2008.110	2008.APPENDIX A Policy Checklist
2008.120	

DEPARTMENT OF INSURANCE

NOTICE OF EMERGENCY AMENDMENTS

2008 APPENDIX B Outline of Medicare Supplement Coverage-Cover

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2008 APPENDIX J Plan H	
2008 APPENDIX K Plan I	
2008 APPENDIX L Plan J	
2008 APPENDIX M Notice to Applicant Regarding Replacement of Accident and Sickness Insurance	
2008 APPENDIX N Medicare Supplement Refund Calculation Format	
2008 APPENDIX O Notice of Medicare Changes	
2008 APPENDIX P Medicare Supplement Policies Report	

AUTHORITY: Implementing Sections 363 and 363a and authorized by Section 401 of the Illinois Insurance Code (Ill. Rev. Stat. 1991, ch. 73, pars. 975, 975a and 1013).

SOURCE: Adopted at 6 Ill. Reg. 7115, effective June 1, 1982; adopted at 6 Ill. Reg. 7115, effective January 1, 1983; codified at 7 Ill. Reg. 3474; emergency amendment at 13 Ill. Reg. 586, effective January 1, 1989, for a maximum of 150 days; amended at 13 Ill. Reg. 8520, effective May 23, 1989; amended at 14 Ill. Reg. 19243, effective November 27, 1990; amended at 16 Ill. Reg. 2766, effective February 11, 1992; corrected at 16 Ill. Reg. 3590; amended at 16 Ill. Reg. 15452, effective September 29, 1992; emergency amendment at 16 Ill. Reg. 19226, effective December 1, 1992, for a maximum of 150 days.

Section 2008.73 Medicare Select Policies and Certificates EMERGENCY

- a) This Section shall apply to Medicare Select policies and certificates, as defined in this Section. The State of Illinois has not been chosen as a Medicare Select State; therefore, the provisions of this Section do not apply to Illinois Medicare policies or certificates. No policy or certificate may be advertised as a Medicare Select policy or certificate unless it meets the requirements of this Section.

- b) For the purposes of this Section:

DEPARTMENT OF INSURANCE

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- 1) "Complaint" means any dissatisfaction expressed by an individual concerning a Medicare Select issuer or its network providers.
 - 2) "Grievance" means dissatisfaction expressed in writing by an individual insured under a Medicare Select policy or certificate with the administration, claims practices, or provision of services concerning a Medicare Select issuer or its network providers.
 - 3) "Medicare Select issuer" means an issuer offering, or seeking to offer, a Medicare Select policy or certificate.
 - 4) "Medicare Select policy" or "Medicare Select certificate" mean respectively a Medicare supplement policy or certificate that contains restricted network provisions.
 - 5) "Network provider" means a provider of health care, or a group of providers of health care, which has entered into a written agreement with the issuer to provide benefits insured under a Medicare Select policy.
 - 6) "Restricted network provision" means any provision which conditions the payment of benefits, in whole or in part, on the use of network providers.
 - 7) "Service area" means the geographic area approved by the Director within which an issuer is authorized to offer a Medicare Select policy.
- c) The Director of Insurance may authorize an issuer to offer a Medicare Select policy or certificate, pursuant to this Section and Section 4358 of the Omnibus Budget Reconciliation Act (OBRA) of 1990 if the Director finds that the issuer has satisfied all of the requirements of this Part.
- d) A Medicare Select issuer shall not issue a Medicare Select policy or certificate in this State until its plan of operation has been approved by the Director of Insurance.

DEPARTMENT OF INSURANCE

NOTICE OF EMERGENCY AMENDMENTS

e) A Medicare Select issuer shall file a proposed plan of operation with the Director of Insurance in a format prescribed by the Director. The plan of operation shall contain at least the following information:

- 1) Evidence that all covered services that are subject to restricted network provisions are available and accessible through network providers, including a demonstration that:
 - A) Such services can be provided by network providers with reasonable promptness with respect to geographic location, hours of operation and after-hour care. The hours of operation and availability of after-hour care shall reflect usual practice in the local area. Geographic availability shall reflect the usual travel times within the community.
 - B) The number of network providers in the service area is sufficient, with respect to current and expected policyholders, either:
 - (i) To deliver adequately all services that are subject to a restricted network provision; or
 - (ii) To make appropriate referrals.
 - C) There are written agreements with network providers describing specific responsibilities.
 - D) Emergency care is available twenty-four (24) hours per day and seven (7) days per week.
 - E) In the case of covered services that are subject to a restricted network provision and are provided on a prepaid basis, there are written agreements with network providers prohibiting such providers from billing or otherwise seeking reimbursement from or recourse against any individual insured under a Medicare Select policy or certificate. This subsection shall not apply to supplemental charges or coinsurance amounts as stated in the Medicare Select policy or certificate.

DEPARTMENT OF INSURANCE

NOTICE OF EMERGENCY AMENDMENTS

2) A statement or map providing a clear description of the service area.

3) A description of the grievance procedure to be utilized.

4) A description of the quality assurance program, including:

- A) The formal organizational structure;
 - B) The written criteria for selection, retention and removal of network providers; and
 - C) The procedures for evaluating quality of care provided by network providers, and the process to initiate corrective action when warranted.
- 5) A list and description, by specialty, of the network providers.
- 6) Copies of the written information proposed to be used by the issuer to comply with subsection (i) below.
- 7) Any other information requested by the Director of Insurance.

f) A Medicare Select issuer shall:

- 1) File any proposed changes to the plan of operation, except for changes to the list of network providers, with the Director prior to implementing such changes. Such changes shall be considered approved by the Director after thirty (30) days unless specifically disapproved.
 - 2) An updated list of network providers shall be filed with the Director of Insurance at least quarterly.
- g) A Medicare Select policy or certificate shall not restrict payment for covered services provided by non-network providers if:
- 1) The services are for symptoms requiring emergency care or are immediately required for an unforeseen illness, injury or a condition; and

DEPARTMENT OF INSURANCE

NOTICE OF EMERGENCY AMENDMENTS

- 2) It is not reasonable to obtain such services through a network provider.
- h) A Medicare Select policy or certificate shall provide payment for full coverage under the policy for covered services that are not available through network providers.
- i) A Medicare Select issuer shall make full and fair disclosure in writing of the provisions, restrictions, and limitations of the Medicare Select policy or certificate to each applicant. This disclosure shall include at least the following:
 - 1) An outline of coverage sufficient to permit the applicant to compare the coverage and premiums of the Medicare Select policy or certificate with:
 - A) Other Medicare supplement policies or certificates offered by the issuer; and
 - B) Other Medicare Select policies or certificates.
 - 2) A description (including address, phone number and hours of operation) of the network providers, including primary care physicians, specialty physicians, hospitals, and other providers.
 - 3) A description of the restricted network provisions, including payments for coinsurance and deductibles when providers other than network providers are utilized.
 - 4) A description of coverage for emergency and urgently needed care and other out of service area coverage.
 - 5) A description of limitations on referrals to restricted network providers and to other providers.
 - 6) A description of the policyholder's right to purchase any other Medicare supplement policy or certificate otherwise offered by the issuer.
 - 7) A description of the Medicare Select issuer's quality assurance program and grievance procedure.

DEPARTMENT OF INSURANCE

NOTICE OF EMERGENCY AMENDMENTS

- j) Prior to the sale of a Medicare Select policy or certificate, a Medicare Select issuer shall obtain from the applicant a signed and dated form stating that the applicant has received the information provided pursuant to subsection (i) above and that the applicant understands the restrictions of the Medicare Select policy or certificate.
- k) A Medicare Select issuer shall have and use procedures for hearing complaints and resolving written grievances from the subscribers. Such procedures shall be aimed at mutual agreement for settlement and may include arbitration procedures.
 - 1) The grievance procedure shall be described in the policy and certificates and in the outline of coverage.
 - 2) At the time the policy or certificate is issued, the issuer shall provide detailed information to the policyholder describing how a grievance may be registered with the issuer.
 - 3) Grievances shall be considered in a timely manner and shall be transmitted to decisionmakers who have authority to investigate the issue and take corrective action.
 - 4) If a grievance is found to be valid, corrective action shall be taken promptly.
 - 5) All concerned parties shall be notified about the results of a grievance.
 - 6) The issuer shall report no later than each March 31st to the Director of Insurance regarding its grievance procedure. The report shall be in a format prescribed by the Director and shall contain the number of grievances filed in the past year and a summary of the subject, nature and resolution of such grievances.
- l) At the time of initial purchase, a Medicare Select issuer shall make available to each applicant for a Medicare Select policy or certificate the opportunity to purchase any Medicare supplement policy or certificate otherwise offered by the issuer.

NOTICE OF EMERGENCY AMENDMENTS

m) At the request of an individual insured under a Medicare Select policy or certificate, a Medicare Select issuer shall make available to the individual insured the opportunity to purchase a Medicare supplement policy or certificate offered by the issuer which has comparable or lesser benefits and which does not contain a restricted network provision. The issuer shall make such policies or certificates available without requiring evidence of insurability after the Medicare supplement policy or certificate has been in force for six (6) months.

1) For the purposes of this subsection, a Medicare supplement policy or certificate will be considered to have "comparable or lesser" benefits unless it contains one or more significant benefits not included in the Medicare Select policy or certificate being replaced.

2) For the purposes of this subsection, a "significant benefit" means coverage for the Medicare Part A deductible, coverage for prescription drugs, coverage for at-home recovery services or coverage for Part B excess charges.

n) Medicare Select policies and certificates shall provide for continuation of coverage in the event the Secretary of Health and Human Services determines that Medicare Select policies and certificates issued pursuant to this Section should be discontinued due to either the failure of the Medicare Select Program to be reauthorized under law or its substantial amendment.

1) Each Medicare Select issuer shall make available to each individual insured under a Medicare Select policy or certificate the opportunity to purchase any Medicare supplement policy or certificate offered by the issuer which has comparable or lesser benefits and which does not contain a restricted network provision. The issuer shall make such policies and certificates available without requiring evidence of insurability.

2) For the purposes of this subsection, a Medicare supplement policy or certificate will be considered to have "comparable or lesser" benefits unless it contains one or more significant benefits not

NOTICE OF EMERGENCY AMENDMENTS

included in the Medicare Select policy or certificate being replaced. For the purposes of this subsection, a "significant benefit" means coverage for the Medicare Part A deductible, coverage for prescription drugs, coverage for at-home recovery services or coverage for Part B excess charges.

o) A Medicare Select issuer shall comply with requests for data made by State or federal agencies, including the United States Department of Health and Human Services, for the purpose of evaluating the Medicare Select Program.

(Source: Emergency amendment at 16 Ill. Reg. 19226, effective December 1, 1992, for a maximum of 150 days)

ILLINOIS STUDENT ASSISTANCE COMMISSION

NOTICE OF EMERGENCY RULES

- 1) The Heading of the Part: Monetary Award Program (MAP)
- 2) Code Citation: 23 Ill. Adm. Code 2735
- 3) Section numbers: 2735.80
Emergency Action: amendment
- 4) Statutory Authority: Implementing and authorized by Section 1 et seq. of the Higher Education Student Assistance Act (Ill. Rev. Stat. 1991, ch. 127, par. 30-15 et seq., as amended by P.A. 87-997, effective September 3, 1992).
- 5) Effective Date of Rule(s) Amendment: November 23, 1992
- 6) If this emergency rule amendment is to expire before the end of the 150-day period, please specify the date on which it is to expire: This emergency rule amendment will not expire before the end of the 150-day period.
- 7) Date Filed in Agency's Principal Office: November 20, 1992
- 8) Reason for Emergency: On July 23, 1992, President Bush signed Public Law 102325 which included amendments to and reauthorized the Higher Education Act of 1965. The Monetary Award Program in Illinois is affected by changes in federal law.

ISAC is unable to enact amendments through the regular rulemaking process in sufficient time to make them effective for this Monetary Award Program (MAP) processing period. In the absence of emergency amendments, ISAC would have no means by which to pay schools on a timely basis without accepting requests for payment prior to the expiration of the institutional refund period, and thus violating its own rules. Abiding by the former rules would result in serious delays in the delivery of funds to schools and students and consequently, could result in a decrease in student enrollments. It is imperative that this emergency amendment take effect immediately to ensure the uninterrupted delivery of funds to students and postsecondary institutions in Illinois. On the basis of the foregoing factors, ISAC finds that there is a threat to the public interest and welfare which constitutes an emergency amendment within the meaning of Section 5.02 of the Administrative Procedures Act.

- 9) A Complete Description of the Subjects and Issues Involved: Section 484B of the Higher Education Act Amendments of 1992 requires all institutions participating in federal student assistance programs to institute a pro-rata refund policy for first-time student aid recipients who withdraw prior to the expiration of 60 percent of the period of enrollment for which the student has been charged. This change in federal law will

ILLINOIS STUDENT ASSISTANCE COMMISSION

NOTICE OF EMERGENCY RULES

compel many postsecondary institutions to extend their refund adjustment period substantially. At present, ISAC's MAP rules preclude institutions from submitting MAP payment requests until after the expiration of their refund adjustment period. Were this rule to remain in place, schools would thus be required to delay submission of their payment requests for as long as two to three months into the term, a practice which would create an undue financial hardship on both the students and schools ISAC is charged to serve. Accordingly, ISAC has adopted this emergency rules amendment to allow for timely payment and distribution of its MAP grant funds.

- 10) Are there any proposed amendments to this Part pending? No.
- 11) Statement of Statewide Policy Objectives: This rulemaking does not affect local governmental agencies.
- 12) Information and questions regarding this emergency rule amendment shall be directed to:

Name:

Mr. Larry E. Marejka
Executive Director

Address:

Illinois Student Assistance Commission
106 Wilnot Road
Deerfield, Illinois 60015

The full text of the emergency rules amendments begin on the next page:

ILLINOIS STUDENT ASSISTANCE COMMISSION

NOTICE OF EMERGENCY AMENDMENTS

TITLE 23: EDUCATION AND CULTURAL RESOURCES

SUBTITLE A: EDUCATION

CHAPTER XIX: ILLINOIS STUDENT ASSISTANCE COMMISSION

PART 2735

MONETARY AWARD PROGRAM (MAP)

Section

2735.10 Summary and Purpose

2735.20 Applicant Eligibility

2735.30 Application for MAP Grants

2735.40 Determination of Financial Eligibility

2735.50 Institutional Packaging of Gift Assistance

2735.60 Institutional Eligibility

2735.70 Enrollment Requirements

2735.80 Disbursement of MAP Grants

EMERGENCY

2735.100 Contractual Agreement Requirements

2735. APPENDIX A Advance Payment Formula

AUTHORITY: Implementing and authorized by Section 1 et seq. of the Higher Education Student Assistance Act (Ill. Rev. Stat. 1991, ch. 122, par. 30-15 et seq. as amended by P.A. 87-997, effective September 3, 1992).

SOURCE: Adopted at 9 Ill. Reg. 20857, effective January 1, 1986; amended at 11 Ill. Reg. 3225, effective January 29, 1987; amended at 11 Ill. Reg. 14134, effective August 10, 1987; amended at 12 Ill. Reg. 11546, effective July 1, 1988; transferred from Chapter IX, 23 Ill. Adm. Code 1735 (State Scholarship Commission) to Chapter XIX, 23 Ill. Adm. Code 2735 (Illinois Student Assistance Commission) pursuant to P.A. 86-168, effective July 1, 1989, at 13 Ill. Reg. 17864; amended at 14 Ill. Reg. 7242, effective May 1, 1990, amended at 16 Ill. Reg. 11296, effective July 1, 1992; emergency amendment at 16 Ill. Reg. 19237, effective November 23, 1992, for a maximum of 150 days.

Section 2735.80 Disbursement of MAP Grants

- a) Upon receipt of a payment request from the Institution, ISAC remits MAP grant funds to the Institution on behalf of the recipient. The Institution shall credit these funds to the recipient's account.
- b) MAP grants are divided into two semester or three quarter regular Term payments and are paid directly to the approved Institution which certifies to ISAC that the Applicant is an eligible recipient.
 - 1) ISAC will annually establish priority claim dates for return of payment request lists and inform schools of the required priority dates.

ILLINOIS STUDENT ASSISTANCE COMMISSION

NOTICE OF EMERGENCY AMENDMENTS

- 2) Late return of payment request lists will result in delayed processing of payments. Payment requests are processed in the sequence of receipt by ISAC and as funds are available.
- 3) Under no circumstances are Institutions to return their payment request lists until after the second week of classes institution's Tuition-refund/withdrawal-adjustment-period-has-expired for the Term for which they are requesting payment.
- c) MAP grant payment is subject to the limits of dollars appropriated to the ISAC by the General Assembly.
- d) Institutional Processing of Payments
 - 1) Within thirty days of receiving payment of any MAP funds claimed or advanced pursuant to this Section, the Institution shall credit the MAP funds against the recipients' Tuition and Mandatory Fee charges for the appropriate Term.
 - 2) Following receipt of payment for the Term, Institutions are required to review payments received through the ISAC Monetary Award Program. Any payments received by the Institution that are determined in the review to be refunds payable to ISAC are to be processed and returned to ISAC no later than 60 days following the end of the academic Term. Refunds may be caused by billing errors, retroactive withdrawals, and other miscellaneous reasons authorized by these Rules. Should the payment arrive after the end of the Term, the Institution will have 30 days following receipt of payment to complete the review process and return any refunds due.
 - 3) Award payments made in the name of one recipient cannot be applied to another recipient at the same Institution. A refund of the payment made must be submitted to ISAC, and a supplemental request for payment must be processed for the proper recipient.
 - 4) To provide sufficient time for processing and vouchering through the State Comptroller's Office in Springfield, all payment requests must be received by ISAC no later than September 1 due to the State's fiscal year lapse period ending on September 30.
 - 5) Payment requests received after September 1 for the prior Academic Year will be processed as time and available funds permit; however final action may require Institutions to go to the Illinois Court of Claims to obtain payment for approved claims. (See: The Court of Claims Act (Ill. Rev. Stat. 1989 1991, ch. 37, par. 439.1 et seq.))

ILLINOIS STUDENT ASSISTANCE COMMISSION

NOTICE OF EMERGENCY AMENDMENTS

- 6) If the Institution does not submit refunds as required by this Section, ISAC will deduct outstanding refunds from subsequent institutional payment requests.

e) Advance Payment Option

- 1) MAP-approved Institutions may request consideration for the advance payment option. To be eligible, the Institution must have received MAP payments for each of the last five Academic Years, and ISAC must have completed an audit of the Institution's performance during the aforementioned Academic Years. Institutions with provisional eligibility shall not receive advance payments. (See: 23 Ill. Adm. Code 2700.30(i)(5).)
- 2) Subject to the availability of funds, payments are advanced on a Term-by-Term basis. Advance payments are made in an amount not to exceed seventy-five percent of a Term's announced recipients, adjusted for attrition as determined by subsection (3)(B). The formula by which ISAC computes an Institution's advance payment is illustrated in Appendix A of this Part.
- 3) For purposes of computing an Institution's advance payment, ISAC utilizes the lowest retention rate resulting from the following three formulae.
 - A) Dollar value of the previous fiscal year's claimed awards divided by the dollar value of the previous fiscal year's announced awards.
 - B) Number of claimed awards for the previous fiscal year divided by the number of awards announced during the previous fiscal year.
 - C) Utilizing the formula in subsection (e)(3)(B), compute the retention rate for the previous five fiscal years.Add the five retention rates and divide by five to produce the five year average retention rate.
- 4) Requests for advance payment shall be submitted by June 1st with the annual tuition and fee charges (see 23 Ill. Adm. Code 2700.30(e)). The balance of payment due for the current Term will be paid to the Institution after ISAC receives a payment request.
- 5) If an Advance Payment received by an Institution exceeds the total grant payments for which that Institution's students are eligible,

ILLINOIS STUDENT ASSISTANCE COMMISSION

NOTICE OF EMERGENCY AMENDMENTS

the Institution shall submit the appropriate refund to ISAC prior to the end of the Academic Year.

(Source: Emergency amendment at 16 Ill. Reg. 19237, effective November 23, 1992, for a maximum of 150 days)

DEPARTMENT OF REVENUE

NOTICE OF PUBLIC HEARING ON PROPOSED RULEMAKING

- 1) Heading of the Part: Nursing Home Grant Assistance Act
- 2) Code Citation: 86 Ill. Adm. Code 535
- 3) Register Citation to Notice of Proposed Rulemaking: 16 Ill. Reg. 15340, October 9, 1992
- 4) Date, Time and Location of Public Hearing:
December 18, 1992
9:30 A.M. to 11:30 A.M.
State of Illinois Center
Room 9-040
Chicago, Illinois

5) Other Pertinent Information:

The Department is scheduling this public hearing in response to a request from the Illinois Health Care Association. The public hearing will be for the sole purpose of gathering public comment on the proposed rulemaking on the Nursing Home Grant Assistance Act. This rulemaking implements the Nursing Home Grant Assistance Act, P.A. 87-863, which provides for certain individuals in need of financial support who reside in skilled nursing or intermediate long term care facilities. The rules explain the rights and responsibilities of long term care facilities and eligible individuals. The rules set forth provisions for determinations of eligibility, and explain the method by which payments will be made to eligible individuals.

Persons interested in presenting testimony are advised that the Department will adhere to the following procedures in the conduct of the hearing:

1. Each person presenting oral testimony shall provide to the hearing officer a written (preferably typed) copy of such testimony at the time the oral testimony is presented. No oral testimony will be accepted without a written copy of the testimony being provided.
2. Each person presenting oral testimony will be limited to fifteen minutes for the presentation of such testimony.
3. No person will be recognized to speak for a second time until all persons wishing to testify have done so.
4. All testimony shall conclude at the specified time except that an individual presenting testimony at that time shall be allowed to complete the presentation.

DEPARTMENT OF REVENUE

NOTICE OF PUBLIC INFORMATION

1. Statute requiring agency to publish this information in the Illinois Register:

Name of Act: Illinois Department of Revenue Sunshine Act
Citation: Ill. Rev. Stat. 1991, ch. 127, par. 2001
(Public Act 82-727, effective November 12, 1981)
2. Summary of information:

Index of Department of Revenue Sales and Excise Tax letter rulings issued for the Third Quarter of 1992.

The ruling letters are listed numerically with a brief synopsis under the following subjects:

Agents	Interstate Commerce
Agricultural Producers and Products	Itinerant Vendors
Assessments	Leasing
Automobile Renting Tax	Liquor Tax
Bingo	Local Taxes
Books and Records	Mandatory Service Charges
Bulk Sales	Manufacturers
C.O.A.D.	Manufacturing Machinery and Equipment
Certificate of Registration	Medical Appliances
Cigarette Tax	Miscellaneous
Claims for Credit	Motor Fuel Tax
Coal Fueled Devices	Motor Vehicles
Coal Mining Equipment	Nexus
Coins & Precious Metals	Nonprofit Institutions
Computer Software	Occasional Sale
Construction Contractors	Oil Field Equipment
Cooperative Associations	Penalties
Delivery Charges	Pollution Control Facilities
Distillation Machinery	Prepaid Sales Tax
Drugs	Products of
Enterprise Zones	Photoprocessing
Exempt Organizations	Property Tax
Farm Machinery & Equipment	Public Utility Taxes
Federal Excise Tax	Real Estate Transfer Tax
Financial Institutions	Repairs
Food	Replacement Vehicle Tax
Governmental Bodies	Returns
Graphic Arts	Rolling Stock Exemption
Gross Receipts	Sale at Retail
Hotel Operators' Tax	
Interest	

DEPARTMENT OF REVENUE

NOTICE OF PUBLIC INFORMATION

Sale for Resale
Sale of Service
Sellers of Newspapers,
Magazines, Etc.
Signature
Special Order
Statute of Limitations
Tax Collection
Tax Increment Financing
Tax Rate
Telecommunications Excise Tax
Temporary Storage
Trade-Ins
Use Tax
Vehicle Use Tax
Vendors

Copies of the ruling letters themselves are available for inspection and may be purchased for a minimum of \$1.00 per opinion plus 25¢ per page for each page over one.

The annual index of Sales and Excise Tax letter rulings (all four quarters) is available for \$3.00.

3. Name and address of person to contact concerning this information:

Margaret Forth
Legal Division
101 West Jefferson Street
Springfield, Illinois 62708
Telephone: (217) 782-6996

DEPARTMENT OF REVENUE

NOTICE OF PUBLIC INFORMATION

1992 THIRD QUARTER SUNSHINE INDEX

BINGO

92-0428 08/14/1992 No person may receive any remuneration or profit for participating in the management or operation of a bingo game.
\$1.25

CERTIFICATE OF REGISTRATION

92-0383 07/24/1992 The responsible individual named at Question 12 of the NUC-1 does not act as a guarantor for payment of the corporation's tax liability. Question 12 also asks for the name of the person who is responsible for the filing of returns and payment of taxes.
\$1.00

92-0460 09/01/1992 Corporate applications to register under the Retailers' Occupation Tax Act must contain the name of the individual responsible for the filing of returns and payment of taxes.
\$1.00

92-0473 09/09/1992 A person (or persons) signing on Question 12 of Section 2 of the NUC-1 do not act as guarantors of a corporations' tax liability. Rather, they are notifying the Department that they are the persons responsible for filing returns and paying taxes. It is only if they willfully fail to file returns or pay taxes that they can be held liable for an amount equal to the amount of taxes owed, plus penalties and interest.
\$1.25

CLAIM FOR CREDIT

92-0451 08/31/1992 Claims for credit are made on Form ST-1-X for amounts erroneously paid after January 1, 1990, and on Form RCR-101 for amounts erroneously paid prior to that time.
\$1.25

COMPUTER SOFTWARE

92-0356 07/06/1992 A license of software is not a taxable retail sale if the license contains all five elements set out at 130.1935(a)(1).
\$1.00

92-0359 07/07/1992 Maintenance agreements which provide for updates of canned software are taxable as sales of software. To the extent that the maintenance agreement separately states the cost of software updates (apart from other services), only the cost of the
\$1.25

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updates is taxable. If not separately stated, the whole agreement is taxable.

92-0387
\$1.25

07/28/1992 Licenses of software which do not meet all the requirements of Section 130.1935(a)(1)(D) are fully taxable. In meeting the requirements of Subsection (a)(1)(D), it is sufficient if the vendor can provide evidence that it is his policy to provide another copy at minimal or no charge if the customer loses or damages the software.

92-0420
\$2.00

08/14/1992 Software maintenance agreements which provide for updates of canned software are fully taxable unless the charges for the canned updates are separately stated and taxed apart from the other services.

92-0450
\$1.50

08/31/1992 Section 130.1935(a) of the Department's rules provides in part that "the sale at retail, or transfer of canned software intended for general or repeated use is taxable, including the transfer by a retailer of software which is subject to manufacturer license restricting the use or reproduction of the software."

92-0469
\$1.25

09/04/1992 In order for a license of canned software to be nontaxable, it must meet the requirements of Section 130.1935(a)(1)(A-E) of the Department's regulations.

92-0481
\$1.25

09/15/1992 Sales of stock mailing lists are subject to Retailers' Occupation Tax liability based on the seller's gross receipts from sales. This includes mailing lists transferred in the form of gummed labels, magnetic tape, computer software or other media.

CONSTRUCTION CONTRACTORS

92-0415
\$1.25

08/13/1992 Pylons and support structures which are permanently affixed to real estate are considered improvements to real estate, and contractors installing these items owe Use Tax on their cost price of the items installed. Signs which are affixed to these structures and which can be removed and used elsewhere are tangible personal property and are subject to either the ROT or the SOT.

92-0471

09/08/1992 Construction contractors may purchase items on behalf

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\$1.00

of an exempt organization that will be incorporated into real property by giving the supplier a certification as well as an active exemption number for the exempt organization.

DRUGS

92-0424
\$1.00

08/14/1992 Section 130.310 explains that a lower rate exists for certain food and drug items. The regulation explains what types of food and medical items qualify for the low rate of tax. (FOOD & DRUGS)

ENTERPRISE ZONE

92-0379
\$1.25

07/21/1992 This letter sets out the documentation necessary to establish the enterprise zone building materials exemption.

92-0398
\$1.00

08/03/1992 Section 130.1951 of the Department's regulations explains the various sales and Use Tax exemptions allowed for businesses in an enterprise zone.

92-0402
\$1.00

08/03/1992 The expanded Manufacturing Machinery and Equipment Exemption conferred on certified businesses within Enterprise Zones, does not extend to software used in nonproduction or office activities.

92-0459
\$1.00

09/01/1992 High impact business enterprise zone requirements.

92-0486
\$1.25

09/17/1992 A retailer located within the jurisdiction that created the enterprise zone may claim a deduction from tax on qualifying building materials which he sells that will be incorporated into real estate located in the enterprise zone. The exemption is not destroyed because the retailer special-orders materials he is not normally in the course of selling and then resells those materials to a purchaser who will incorporate them into real estate located in the enterprise zone, i.e., a local hardware store orders and then resells structural steel.

FARM MACHINERY & EQUIPMENT

92-0346
\$1.00

07/02/1992 Stock trailers do not qualify for the farm machinery and equipment exemption.

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- 92-0353 \$1.25 07/06/1992 The farm machinery and equipment exemption is limited to machinery and equipment used in production agriculture.
- 92-0393 \$1.00 07/31/1992 The exemption afforded to machinery and equipment used or leased for use primarily in production agriculture extends to qualifying equipment used in the harvesting of trees by commercial loggers.
- 92-0407 \$1.00 08/05/1992 Field fencing and electric fencing do not qualify for the Farm Machinery and Equipment Exemption.
- 92-0409 \$1.00 08/05/1992 Repair or replacement parts necessary to the operation of otherwise exempt farm machinery or equipment, qualify for the exemption.
- 92-0425 \$1.25 08/14/1992 When a sale is exempt under the Farm Machinery and Equipment Exemption, the purchaser must provide the seller with documentation of the exempt nature of the sale. He must provide an exemption certificate containing the seller's name and address, purchaser's name and address and a statement that the property purchased will be used primarily in production agriculture or in State or Federal agricultural programs. Sales for resale made to farmers, such as feed for livestock that will be sold or the products of which will be sold, seeds and fertilizer must be documented by a valid Certificate of Resale. In cases where persons are not registered with the Department but make sales for resale, the Department has assigned No. 0110 to them to document their exempt purchases.
- 92-0443 \$1.25 08/26/1992 A valid exemption certificate for the purchase of equipment qualifying for exemption under the Farm Machinery and Equipment Exemption must contain the following information: seller's name and address; purchaser's name and address; and a statement by the purchaser that the property purchased will be used primarily in production agriculture or in State or Federal agricultural programs.
- 92-0458 \$1.00 09/01/1992 The Farm Machinery and Equipment Exemption is not applicable to ATV's. ATV's are not used primarily in production agriculture.
- 92-0472 09/08/1992 Machinery or equipment used in production agriculture

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- \$1.00 which is necessary to tilling the soil, planting, irrigating, cultivating, applying fertilizer, or harvesting and drying crops may qualify for exemption.
- 92-0478 \$1.25 09/10/1992 A greenhouse, as a freestanding structure does not qualify for the Farm Machinery and Equipment Exemption because the exemption does not extend to buildings, barns, or ordinary building materials. The field greenhouse, although easily disassembled and having no floor, is such a freestanding structure. Accordingly, field greenhouses do not qualify for the Farm Machinery and Equipment Exemption.
- 92-0511 \$1.00 09/30/1992 Grain cleaners used to separate weed seed from grain for planting qualifies for the farm machinery and equipment exemption.
- FOOD
- 92-0424 \$1.00 08/14/1992 Section 130.310 explains that a lower rate exists for certain food and drug items. The regulation explains what types of food and medical items qualify for the low rate of tax. (FOOD & DRUGS)
- 92-0427 \$1.25 08/14/1992 A service station with no on-premises seating arrangements which sells single-serving food items prepared for sale by another (such as candy bars, bags of chips and other snack food items) incurs the low rate of tax on his food sales.
- 92-0479 \$1.00 09/10/1992 Soft drinks and food prepared by the vendor for immediate consumption are taxable at the high rate.
- GRAPHIC ARTS
- 92-0344 \$1.25 07/02/1992 The rules related to the application of the Retailers' Occupation Tax to graphic artists are set out at 86 Ill. Adm. Code 130.2000.
- 92-0422 \$1.25 08/14/1992 The Graphic Arts Machinery and Equipment Exemption applies to machinery, including sub-units, components and attachments of machinery, which is used primarily in graphic arts production. A device attached to a printing press which controls paper tension and allows the press to register glue strips,

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perforations and cuts, constitutes exempt graphic arts machinery, so long as the press is used primarily in graphic arts production.

92-0429 \$1.25 08/18/1992 Lithographic plates capable of producing 100,000 copies of a single image can qualify for the graphic arts machinery and equipment exemption.

92-0448 \$1.00 08/27/1992 Machinery and equipment qualifying for the Graphic Arts Machinery and Equipment Exemption may be purchased free from Illinois sales tax if used primarily in graphic arts production.

92-0493 \$1.25 09/17/1992 Section 130.325(c)(4)(G) specifically indicates that computers used to store or generate an image (i.e., a design format which will later be reproduced by a graphic arts process), do not qualify for the graphic arts machinery and equipment exemption.

92-0500 \$1.00 09/21/1992 Printing plates capable of sustained use, for example 30,000 copies, can qualify for exemption as multiple use plates. A plate having a useful life of one or two printed copies would not qualify for exemption.

GROSS RECEIPTS

92-0343 \$1.25 07/01/1992 When a retailer issues a coupon to a purchaser which entitles the purchaser to a free item conditioned on the purchase of a separate item (two-for-one, buy one get one free, etc.), the retailer's gross receipts are measured only by the amount actually received from the purchaser (the cost of one item).

92-0350 \$1.00 07/02/1992 Tax is not due on deposits and prepayments until the item being sold has been delivered to the customer or is otherwise identified to the contract for sale.

92-0382 \$1.00 07/23/1992 Documentation fees are a part of a car dealer's cost of doing business and are includable in his gross receipts. This position was affirmed in *Velde Ford Sales, Inc. v. Department of Revenue*.

92-0408 \$1.00 08/05/1992 Transportation and delivery charges that are an element of the sale price of the product or that have not been agreed upon separately are subject to Retailers' Occupation Tax.

92-0417 08/13/1992 A seller may deduct from his gross receipts any

\$1.25 refunds made by him during the preceding return period to purchasers on account of returned merchandise. He must also refund Use Tax to the customer when he makes a refund of the selling price.

92-0431 \$1.25 08/19/1992 Delivery charges are included in the selling price of an item, and part of the tax base, unless the seller can provide documentation showing that he and the buyer have agreed upon these charges separately from the selling price of the property sold. Similarly, failure to state the Use Tax separately on an invoice creates a rebuttable presumption that the tax was not collected. This presumption can be rebutted by documentary evidence showing that the tax was in fact shown to the customer as a separate item.

92-0442 \$1.00 08/26/1992 Separately stating shipping charges on an invoice is not sufficient evidence to show that the buyer and seller intended to form an independent agreement for shipping.

92-0480 \$1.50 09/14/1992 If a seller and buyer agree upon installation charges separately from the selling price of the tangible personal property sold, these charges are not includable in gross receipts. Evidence of a separate agreement is a separate contract, or an itemized invoice signed by the customer which shows the separate charges for installation.

92-0504 \$1.00 09/23/1992 Handling charges represent an internal cost associated with the processing of a shipping request and are considered a cost of doing business. Costs of doing business are not deductible from a retailer's gross receipts.

92-0508 \$1.00 09/29/1992 When a retailer who has been reporting on a gross sales basis switches over to a gross receipts method of accounting and reporting, he should utilize the "wash out" method described in Section 130.401.

HOTEL OPERATORS' OCCUPATION TAX

92-0360 \$1.00 07/07/1992 Hotel operators renting rooms to exempt groups are subject to HOOT on those rentals; there is no provision for exemption from the tax for tax exempt groups or the Federal government.

LEASING

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- 92-0354 \$1.00 07/06/1992 In Illinois, lessors are deemed to be the users of items purchased for rental purposes.
- 92-0357 \$1.25 07/06/1992 Lessors of automobiles for periods of one year or less are subject to the Automobile Renting Occupation Tax. Such lessors may purchase rental automobiles tax-free from suppliers, but must pay tax on their rental receipts.
- 92-0377 \$1.50 07/21/1992 Explains the taxability of true leases, and also of conditional sales agreements by retailers in Illinois and by out-of-State retailers maintaining a place of business in Illinois.
- 92-0384 \$1.25 07/24/1992 The lessor of tangible personal property under a true lease in Illinois is deemed the end user of the property to be leased. As the end user of tangible personal property located in Illinois, the lessor owes use tax on his cost price of such property. Since the lessor has already discharged the tax liability with respect to the leased property, no tax is imposed on rental receipts by the State of Illinois.
- 92-0386 \$1.00 07/28/1992 Lease agreements containing a \$1.00 purchase option at the end of the lease period constitute conditional sales agreements. The retailer incurs Retailers' Occupation Tax on all gross receipts from sales.
- 92-0414 \$1.50 08/13/1992 If lessee, under a true lease, agrees to reimburse the lessor for its Use Tax liability and lessee subsequently buys the leased vehicle, the lessee owes sales tax on his purchase price of the car. The lessee/purchaser is not entitled to a credit on taxes for the amount he initially paid to the lessor as reimbursement.
- 92-0423 \$1.00 08/14/1992 Under a true lease, lessors owe Use Tax "up-front" on the cost price of the tangible personal property leased. Such lessors are not authorized under the Use Tax Act to collect tax on rental receipts.
- 92-0457 \$1.25 09/01/1992 When a lessee exercises a fair market value purchase option, the taxability of the transaction depends upon whether the lessor is otherwise engaged in selling the same type of equipment or property at retail.
- 92-0461 09/01/1992 The sale/leaseback transaction is not generally used

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- \$1.50 with a conditional sale transaction because there is no statutory mechanism to provide a credit for tax previously paid by user A. Ultimately if a sale/leaseback is used in conjunction with a conditional sale, User A will be liable for tax when the equipment is purchased and again when lessor C conditionally sells the equipment back to A.
- 92-0492 \$1.25 09/17/1992 The lessor of tangible personal property under a true lease in Illinois, is deemed the end user of the property to be leased. (Ill. Adm. Code 130.220). As the end user of tangible personal property located in Illinois, the lessor owes Use Tax on his cost price of such property.
- 92-0502 \$1.00 09/21/1992 In a sale/lease back situation, typically user A, purchases equipment from retailer B. User A sells the equipment to lessor C and lessor C then leases the equipment back to user A.
- LOCAL TAXES
- 92-0381 \$1.00 07/23/1992 The Home Rule Municipal Retailers' Occupation Tax applies only when a purchase order is accepted by a retailer operating in a jurisdiction imposing the Home Rule Municipal Retailers' Occupation Tax, or when a purchase order accepted outside Illinois is filled from a retailer's inventory which is located in a location subject to the Home Rule Municipal Retailers' Occupation Tax.
- 92-0395 \$1.25 08/03/1992 The appropriate tax rate is determined by the location of the seller's acceptance of purchase orders. In the absence of evidence to the contrary, the Department will assume that purchase order acceptance takes place at the location where the purchase order was received.
- 92-0454 \$1.00 09/01/1992 Site of order acceptance determines rate of local tax.
- 92-0484 \$1.00 09/16/1992 The Home Rule Municipal Retailers' Occupation and Service Occupation Taxes are governed by the same regulations as are established for the State ROT and SOT. Since sales tax reform was initiated (January, 1990), municipalities must use the same tax base that governs the State ROT/SOT.
- 92-0501 09/21/1992 Retailers which incur Home Rule Municipal Retailers'

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are fully taxable to the end user. To the extent that filter powder is a consumable supply necessary to the manufacturing process, it would be taxable when purchased by the manufacturer.

09/01/1992 86 Ill. Adm. Code 130.330(b)(9), specifically excludes cameras and equipment used to take pictures and expose film from the manufacturing machinery an equipment exemption as the photoprocessing process begins after the film is exposed.

09/17/1992 A machine which is used primarily to convert raw beef into patties, which are then sold to supermarkets and restaurants, can qualify for the manufacturing machinery and equipment exemption. Carbon dioxide gas which is used to quick-freeze meat products is considered a supply and does not qualify for the exemption. However, to the extent to which it is physically incorporated into the meat product to be sold at retail, it is exempt as a purchase for resale. Packaging equipment which is used primarily to place the product to be sold into the packaging or container which will be sold to the ultimate purchaser of the product, is exempt from tax under the manufacturing machinery and equipment exemption. In the case at hand, this would include machinery which places the meat product into containers that will be purchased by supermarket consumers, but does not include machinery used primarily to package meat products which will be purchased by restaurants, since the ultimate consumer -- the diner -- does not purchase the meat in the package.

09/28/1992 Remanufacturing process described as disassembling and reassembling commuter rail cars with new raw materials resulting in substantially different product qualifies as manufacturing process thereby qualifying equipment used in process for exemption so long as all other requirements of the exemption are met-- including the requirement that the rail cars be sold.

09/30/1992 In order to document a valid Manufacturing Machinery and equipment exemption, the purchaser must either supply an active registration or resale number to the seller or document a Manufacturing Machinery and Equipment Exemption Certificate.

MEDICAL APPLIANCES

07/16/1992 Products which are used to perform laparoscopic

92-0462 \$1.25

92-0487 \$1.50

92-0506 \$1.25

92-0510 \$1.25

92-0374 \$1.25

92-0349 \$1.00

92-0367 \$1.25

92-0403 \$1.00

92-0421 \$1.00

92-0435 \$1.00

92-0437 \$1.25

92-0444 \$1.25

Occupation Tax liability are authorized to reimburse themselves by collecting an equivalent amount from their customer(s).

07/02/1992 The manufacturing machinery and equipment exemption is available to repair parts for qualifying machinery which are sold "over-the-counter". The exemption is not available where a repairman incurs Service Occupation Tax liability when transferring repair parts incident to a sale of service.

07/02/1992 Conveyors used to transport work-in-progress between production stations can qualify for the manufacturing machinery and equipment exemption. Conveyors used to move raw materials prior to their entrance into the production cycle and to move finished product after production has ended do not qualify for the exemption.

07/16/1992 Flux used in a welding process is a consumable supply which does not qualify for the manufacturing machinery and equipment exemption.

08/03/1992 The Manufacturing Machinery and Equipment Exemption does not extend to machinery or equipment used to store, convey, handle or transport finished tangible personal property after the completion of the production cycle. (Sec. 130.330(d)(4)(D).)

08/14/1992 Machinery and equipment which is used to condense scrap metal for subsequent resale may qualify for the Manufacturing Machinery and Equipment Exemption.

08/20/1992 Machinery which places a manufactured item into the package which will reach the ultimate consumer of the item can qualify for the manufacturing machinery and equipment exemption.

08/24/1992 Reusable wax and alloy tooling compounds which are used over 50% of the time with dies in a reverse forming operation that creates an airfoil-shaped cylinder that is subsequently sold at retail or wholesale, can qualify for the machinery and equipment exemption. They directly shape the cylinder that is produced by this operation.

08/27/1992 Consumable supplies used in on-line manufacturing

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\$1.50

surgery (make incisions, provide and maintain portals through which other instruments pass, and which otherwise support the laparoscopic surgery), as well as products used to apply materials utilized in wound closure, such as instruments which apply internal or external clips, staples or suture materials, are taxable at the high rate of tax. These items are surgical instruments, which Section 130.310 (c) specifically exclude from the definition of "medical appliance." These instruments are not intended by the manufacturer to directly substitute for a malfunctioning part of the human body. On the other hand, wound closure materials -- surgical staples, clips or suture materials -- directly substitute for skin, muscle tissue or other type of connective tissue, and therefore do directly substitute for a malfunctioning part of the human body. As a result, these items are taxable at the low rate of tax.

92-0390
\$1.25

07/30/1992 Oxygen for use by persons with breathing disabilities, as well as any apparatus necessary to use it, qualifies for the low rate of tax. Lifts for the handicapped installed in vans, blood pressure kits, commode chairs, stethoscopes and cushions for wheelchairs are all taxable at the high rate of tax.

92-0432
\$1.25

08/19/1992 A heart valve, aortic valve graft prosthesis, vascular graft, Intra-Aortic Balloon pump system, centrifugal pump system and annuloplasty ring are medical appliances taxable at the low rate. A cautery unit and valve sizer used in implanting valves, as well as a surgical bypass knife, are not medical appliances and are taxable at the high rate.

92-0438
\$1.25

08/25/1992 Electronic instruments used for analyzing blood gases, electrolytes, and hematocrit, as well as disposable cartridges for use with these instruments, do not qualify as medical appliances, and are taxable at the high State rate of 6.25%, plus applicable local taxes.

92-0453
\$1.00

09/01/1992 A cushion insole does not qualify as a medical appliance.

MISCELLANEOUS

92-0347
\$1.00

07/02/1992 The purchase of a dismantled aircraft from an individual not engaged in the business of selling aircraft results in no Illinois sales tax liability. See, 86 Ill. Adm. Code 130.110.

92-0358
\$1.25

07/07/1992 The tire fee is a fee imposed upon the tire customer and collected by the tire retailer which is triggered by the retail sale of tires delivered within this State. If a customer purchases tires at an Illinois location, the retailer must assess and collect the tire fee.

92-0368
\$1.00

07/16/1992 This letter discusses the deduction available to gross sales taxpayers for bad debts.

92-0436
\$1.00

08/20/1992 Flights originating at foreign locations which terminate at domestic locations do not qualify for the exemption set out at 86 Ill. Adm. Code 130.321.

92-0463
\$1.25

09/01/1992 Aircraft used in foreign commerce.

92-0490
\$1.25

09/17/1992 Request for ruling regarding Use Tax liability for registering a recovered stolen automobile in the original owners name.

92-0507
\$1.00

09/29/1992 The Illinois State Utility Surcharge is a charge authorized under the Emergency Telephone Systems Act, Ill. Rev. Stat. (1991) Ch. 134, par. 45.3 which permits local municipalities and counties to impose a monthly surcharge on telecommunications in order to fund local 9-1-1 Emergency Phone Service. The amount of surcharge imposed is determined by each individual municipality or county as provided for in the enabling legislation.

MOTOR FUEL

92-0372
\$1.25

07/16/1992 Claims for full reimbursement of Motor Fuel Tax must be filed not later than one year after the date on which the tax was paid by the claimant. Claims filed more than one year but less than two years after the date on which the tax was paid will be reimbursed at a rate of 80% of the amount to which the claimant would have been entitled had the claim been filed within one year of the date on which the tax was paid.

92-0375
\$1.25

07/16/1992 Department requirements for use of an assumed business name in a situation where the actual corporation name remains the same for purposes of Motor Fuel Tax Licensing, state that so long as the Department can track invoices and determine that the corporation has remitted the appropriate amount of Motor Fuel Tax,

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use of an assumed business name will not result in a name change as defined under 86 Ill. Admin. Code Sec. 150.120.

NEWSPRINT AND INK EXEMPTION

92-0341 \$1.00 07/01/1992 Magazines are not taxable pursuant to the provisions of Section 130.2105.

92-0380 \$1.25 07/23/1992 This letter describes the factors used to determine whether a publication can qualify as a magazine for purposes of the newsprint and ink exemption.

92-0482 \$1.25 09/15/1992 The primary factor in determining whether a publication qualifies as a magazine is that it must be published periodically (two or more times per year). Other factors include, the ability to subscribe to the publication, whether the content includes general advertising, whether the publication contains information of value to the general public, and whether the publication has a magazine format including index, soft cover and individual pages.

NEXUS

92-0397 \$1.50 08/03/1992 Out-of-State retailers must determine their tax liability, if any, based upon their contacts with the State.

92-0401 \$1.50 08/03/1992 An "Illinois Retailer" is one who either accepts purchase orders in the State of Illinois or maintains an inventory in Illinois and fills Illinois orders from that inventory. The Illinois retailer is then liable for Retailers' Occupation Tax on gross receipts of sales and must collect the corresponding Use Tax incurred by purchasers.

92-0413 \$1.25 08/13/1992 Out-of-State retailers who do not engage in any of the activities described in Section 150.201(i) are not required to register as Use Tax collectors. They can voluntarily register to collect the tax, whereupon they must collect the Use Tax on all taxable Illinois deliveries.

92-0440 \$1.25 08/26/1992 Out-of-State retailers must determine their tax liability, if any, based upon their contacts with this State.

92-0445 08/27/1992 Out-of-State retailers must determine their Use Tax

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\$1.25 collection obligation, if any, based upon their contacts with Illinois.

92-0447 \$1.25 08/27/1992 Out-of-State retailers must determine their Use Tax collection obligation, if any, based upon their contacts with Illinois.

92-0495 \$1.50 09/17/1992 Out of state retailers must determine their tax liability, if any, based upon their contacts with State.

92-0505 \$1.75 09/23/1992 Out-of-State retailers must determine their tax liability, if any, based upon their contacts with this State.

OCCASIONAL SALE

92-0355 \$1.00 07/06/1992 When a retailer discontinues business and sells its capital assets and inventory to a purchaser who will operate the business, the sale of capital assets constitutes a nontaxable occasional sale. The sale of the inventory is a nontaxable sale for resale so long as the purchaser provides a Certificate of Resale containing all of the information required by 130.1405. (OCCASIONAL SALE/SALE FOR RESALE)

92-0391 \$1.25 07/30/1992 When a financial company not in the business of selling cars, printing presses, or equipment sells such capital assets, it is deemed an occasional seller and is exempt from the Retailers' Occupation Tax. However, the purchaser of the cars is subject to the Vehicle Use Tax.

OIL FIELD EXPLORATION, DRILLING AND PRODUCTION EQUIPMENT

92-0411 \$1.25 08/05/1992 As a general rule, each item purchased must cost \$250.00 or more in order to qualify for the oil field exemption. The fact that several items on an invoice (identical or not) add up to more than \$250.00 does not make an individual item, whose individual cost is less than \$250.00, eligible for the exemption.

PENALTY AND INTEREST

92-0476 \$1.00 09/09/1992 The Department considers a return that is filed unsigned to be a non-filed return. As a result, a notice of liability for such an account will carry a 30 percent penalty.

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POLLUTION CONTROL FACILITIES

92-0351 \$1.25 07/02/1992 Extractors and recyclers which prevent the release of refrigerant gases into the atmosphere do qualify for the exemption applicable to pollution control facilities.

92-0371 \$1.00 07/16/1992 Refrigerant recovery and recycling devices are primarily used to reduce the amount of pollution released into the air and subsequently qualify for exemption under the Pollution Control Facilities regulation.

92-0373 \$1.00 07/16/1992 Generally, chemicals used in connection with pollution control facilities do not qualify for the pollution control exemption. However, court cases hold that chemicals which function as filters to remove pollutants from effluent or gases prior to the release of that effluent or those gases can qualify for the exemption.

92-0405 \$1.00 08/05/1992 Refrigerant reclamation and recycling systems which either extract and contain or extract, clean and replace refrigerant gases, prevent the escape of these harmful gases into the atmosphere. Since the purpose of this equipment is primarily to prevent air pollution, these devices qualify for the Pollution Control Facilities Exemption.

92-0485 \$1.00 09/17/1992 Any device or machine used primarily for the purpose of preventing the release of refrigerant or Freon into the atmosphere can qualify as a pollution control facility under 86 Ill. Adm. Code 130.335.

92-0498 \$1.25 09/17/1992 Paint spray booths can qualify for the pollution control exemption if their primary purpose is to control overspray pollution when painting. The purchaser should provide its supplier with a certification that the system will be used primarily as a pollution control facility. The exemption also extends to replacement parts and other equipment that is an integral part of a qualifying device/system.

92-0503 \$1.25 09/21/1992 An out-of-State contractor purchasing items from an out-of-State retailer which will be drop-shipped into Illinois for use in constructing a waste treatment facility may be able to claim the pollution control facilities exemption on many of the purchased items. He must, however, provide the out-of-State

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seller with a certification for those items that are being purchased for use as a pollution control facility.

PUBLIC UTILITY TAXES

92-0456 \$1.00 09/01/1992 Sales of natural gas by an out-of-State supplier result in no liability under the Gas Revenue Tax Act.

REPLACEMENT VEHICLE TAX

92-0418 \$1.00 08/14/1992 A tax of \$200 is imposed on the purchase of a passenger car when it is purchased by, or on behalf of, an insurance company to replace a passenger car of an insured person in settlement of a total loss claim. If an insurance company cuts a check to an insured, who then purchases a car of his choice, the tax does not apply and purchaser owes tax based on his purchase price of the automobile.

RETURNS

92-0365 \$1.00 07/16/1992 The Department is precluded by the confidentiality provisions of par. 11 of the Retailers' Occupation Tax Act from disclosing information on taxpayer returns without a proper judicial order.

92-0376 \$1.25 07/20/1992 86 Ill Adm. Code Sections 130.1601, 130.1605, 130.1610 and 150.520 explain the procedures which must be followed when discontinuing a business subject to the Retailers' Occupation Tax.

92-0446 \$1.00 08/27/1992 In order to change from the "gross receipts" to "gross sales" method of accounting, the taxpayer must remit payment to the Department for tax due on all receivables on the books at the time of conversion.

92-0497 \$1.00 09/17/1992 Under Ill. Rev. Stat. (1991) ch. 120, par. 442, Illinois retailers are required to file returns on or before the twentieth day of each calendar month. Due to this statutory filing requirement, we are unable to grant individual taxpayers extensions on filing deadlines.

92-0499 09/21/1992 Question 12 of Section 2 of the Business Registration

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\$1.00

Application imposes no liability on anyone. That question only seeks the identity of the person responsible for the filing and paying of returns and taxes due on behalf of the corporation.

ROLLING STOCK

92-0345

\$1.25

07/02/1992 A chassis consisting of a frame, wheels, and pulling mechanism but no body or engine, can qualify for the rolling stock exemption so long as it will be used by the purchaser as rolling stock moving in interstate commerce for hire once it is fitted with a body and an engine. Shipping containers attached to such chassis can also qualify for the exemption.

92-0366

\$1.25

07/16/1992 Repair and replacement parts permanently attached to vehicles which qualify for the rolling stock exemption also qualify for the exemption.

92-0369

\$1.00

07/16/1992 Escort vehicles for over-sized loads moving in interstate commerce for hire can qualify for the Illinois rolling stock exemption.

92-0378

\$1.25

07/21/1992 The rolling stock exemption applies to sales of tangible personal property sold to interstate carriers for hire for use as rolling stock moving in interstate commerce on a regular and frequent basis.

92-0412

\$1.25

08/12/1992 Garbage trucks which haul hazardous waste under an Environmental Protection Agency permit do not qualify for the Rolling Stock Exemption, because the EPA permit does not serve to recognize the garbage hauler as an interstate carrier for hire. Persons claiming the Rolling Stock Exemption must possess an Interstate Commerce Commission Certificate of Authority or be recognized as an interstate carrier by the Illinois Commerce Commission. Even if the EPA permit recognized the garbage hauler as an interstate carrier, the claimant must document that the trucks haul materials in interstate commerce on a regular and frequent basis. Absent both these showings, the exemption cannot be claimed.

92-0416

\$1.00

08/13/1992 To be eligible for the Rolling Stock Exemption, an entity must either possess an Interstate Commerce Commission Certificate of Authority, or if not, be recognized as an interstate carrier for hire by the Illinois Commerce Commission.

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SALE AT RETAIL

92-0342

\$1.25

07/01/1992 Sale of an intangible right not associated with the transfer of tangible personal property is not a sale subject to the Retailers' Occupation Tax.

92-0400

\$1.00

08/03/1992 An entire maintenance agreement providing for updates of canned software is taxable unless the charges for the updates are separately stated from the selling price of the maintenance agreement.

92-0430

\$1.25

08/18/1992 Vendors selling at retail in Illinois are required to obtain a certificate of registration from the Illinois Department of Revenue prior to engaging in retail sales transactions in this State. Engaging in retail sales transactions in Illinois without a certificate of registration is a Class 4 Felony.

92-0441

\$1.00

08/26/1992 If ownership of a container remains with the manufacturer who is shipping the product and the container is returned to the manufacturer after shipping, the sale of such container to the manufacturer is subject to Retailers' Occupation Tax.

92-0464

\$1.25

09/02/1992 Persons selling hair replacement systems are subject to the Retailers' Occupation Tax. When a persons sells tangible personal property produced on special order for a customer and that property serves substantially the same function as stock or standard items that are sold at retail, ROT liability is incurred. There can be no deduction taken for the cost of labor involved in producing such items. When a hair system is sold and custom tailored for a specific customer, it serves the same function as a more standard hairpiece.

92-0470

\$1.00

09/08/1992 A person who makes an isolated or occasional sale of tangible personal property and is not otherwise engaged in selling at retail property of a similar character, is not subject to Retailers' Occupation Tax on the sale.

92-0489

\$1.25

09/17/1992 Food purchased with food stamps is considered a tax exempt sale to a government agency. Any portion of a purchase paid for with an individuals private funds or a manufacturer's coupon for which the retailer will be reimbursed is subject to Retailers' Occupation Tax.

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92-0491
\$1.25

09/17/1992 The sale of artwork is a transfer of tangible personal property subject to the Retailers' Occupation Tax. The Retailers' Occupation Tax is based on the seller's gross receipts from sale, i.e., on the entire selling price.

92-0496
\$1.50

09/17/1992 Response to general questions regarding state tax rates, sales to exempt organizations and documentation of exemptions.

SALE FOR RESALE

92-0355
\$1.00

07/06/1992 When a retailer discontinues business and sells its capital assets and inventory to a purchaser who will operate the business, the sale of capital assets constitutes a nontaxable occasional sale. The sale of the inventory is a nontaxable sale for resale so long as the purchaser provides a Certificate of Resale containing all of the information required by 130.1405. (OCCASIONAL SALE/SALE FOR RESALE)

92-0388
\$1.50

07/29/1992 Sales of tangible personal property that will either be resold by the purchaser, or physically incorporated into tangible personal property that will be resold are sales for resale.

92-0394
\$1.25

07/31/1992 In a drop shipment situation, the seller needs to obtain a valid Illinois Certificate of Resale from the purchaser before it can drop-ship the items to the purchaser's Illinois customers.

92-0399
\$1.00

08/03/1992 Ribbon and ink used for product labels containing information for customer use rather than the use of the seller, may be purchased for resale.

92-0404
\$1.00

08/05/1992 Flux can be purchased for resale only to the extent that it physically becomes a component part of the product being manufactured for sale.

92-0419
\$1.25

08/14/1992 In a drop shipment situation, the purchaser must provide the seller with a Certificate of Resale documenting the fact that the sale to purchaser (with delivery in Illinois) is a sale for resale. While a registration/resale number on a Certificate of Resale is preferred, the purchaser can also provide

"other evidence" on the resale certificate that the sale was for resale.

92-0426
\$1.25

08/14/1992 The requirements for Certificates of Resale are set forth in Section 130.1405. Purchasers must provide one of the types of information required by subsection (b)(5) or (d) in conjunction with the Certificate, depending upon the circumstances surrounding the subsequent sale.

92-0465
\$1.00

09/03/1992 Whether labels or ink can be purchased tax exempt as a sale for resale depends upon whether the label can be considered a part of the packaging. A label is part of the packaging when it is primarily of benefit and utility to the ultimate purchaser of the item to which the label is attached.

92-0467
\$1.50

09/04/1992 A restaurant's purchase of plastic/paper servingware, for use on premises in lieu of more durable serving equipment, is fully taxable. However, paper/plastic container and servingware which will be used for to-go orders or for deliveries, are considered to be sales for resale and, therefore, nontaxable. Items which are used or consumed by the restaurant in its own operations (cleaning supplies, cookingware) are subject to tax. Items which the restaurant donates or gives away to others, such as mints or toothpicks, are subject to tax. The restaurant is using these items by giving them away. Food which will be resold by restaurants may be purchased tax-free upon provision of a Certificate of Resale to the supplier.

SALE OF SERVICE

92-0361
\$2.50

07/07/1992 This letter sets out the application of the SOTA and the SUTA to situations involving sales of special order printing where an in-State primary serviceman uses out-of-State secondary servicemen.

92-0396
\$1.00

08/03/1992 Cleaning service must pay Use Tax on consumable supplies and equipment used by the service.

92-0455
\$1.00

09/01/1992 This letter sets out the proper tax treatment of maintenance agreements.

92-0477
\$1.25

09/09/1992 In general, the sale of artwork is a transfer of tangible personal property subject to the Retailers' Occupation Tax. However, when an artist is commissioned by a purchaser for

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the artist's services, any tangible personal property transferred as an incident of rendering service (i.e., paint and canvas) is subject to the Service Occupation Tax.

92-0483
\$1.00

09/16/1992 So long as a retirement home's cost price/receipts from service ratio is below 35%, the home can elect to satisfy its obligation on food purchased for transfer incident to service (purchases for a dining room) by paying Use Tax to its suppliers at the rate of 1%.

92-0494
\$1.25

09/17/1992 Service provided without the transfer of tangible personal property is not subject to tax. However, if tangible personal property is transferred by a serviceman, as an incident of the sale of service, the transaction is subject to the Service Occupation Tax Act.

SERVICE OCCUPATION TAX

92-0389
\$1.25

07/29/1992 The terms of P.A. 87-194, which amend the Service Occupation Tax, provide that a resident of a licensed long-term care facility who receives medical assistance under Article 5 of the Public Aid Code may purchase drugs, and food for off-premises consumption, from a serviceman, tax-free.

92-0410
\$1.00

08/05/1992 The sale of photocopies from a photocopying machine is subject to the Service Occupation Tax.

SIGNATURE

92-0439
\$1.00

08/26/1992 The use of optical scanners to maintain exemption certificates by scanning the original and then destroying that original is not permissible due to the optical scanners inability to reproduce a written signature.

TELECOMMUNICATIONS EXCISE TAX

92-0433
\$1.25

08/19/1992 When a private university purchases telecommunications for resale to students and charges them more than their purchase cost, the mark-up is fully taxable because it is part of "gross charges." If the university paid tax when it purchased the telecommunications it will resell, tax is due only on the mark-up. The university may simplify its billing process by stating on the

bills to students that "tax is included in the amount billed" and then paying the tax itself.

92-0449
\$1.00

08/27/1992 Only State and Federal governments, and State Universities created by statute, are exempt from the Telecommunications Excise Tax. Additionally, business enterprises which have been certified by the Department of Commerce and Community Affairs as exempt pursuant to paragraph 9-222.1 of the Public Utilities Act from the additional charges added to their utility bills as a pass-on of State Utility Taxes are also exempt from the tax.

92-0452
\$1.75

09/01/1992 Gross charges from answering services provided by telecommunications retailers are subject to the Telecommunications Excise Tax. International calls which originate or terminate in Illinois are also subject to the tax.

92-0512
\$1.25

09/30/1992 86 Ill. Adm. Code 495.100(g), includes answering services provided by telecommunications retailers in the definition of "gross charges". In general, answering services are considered by the Department to be telecommunications and included in the base for Telecommunications Excise Tax even when those services are provided electronically and mechanically.

TEMPORARY STORAGE

92-0362
\$1.50

07/08/1992 The temporary storage exemption can be claimed only on transactions where the only tax applicable is the Use Tax. Transactions which are first subject to the Retailers' Occupation Tax cannot qualify for the temporary storage exemption, i.e., a situation in which paper is purchased from an Illinois retailer, who purchases that paper from a supplier in Wisconsin, which supplier drop ships the paper to an Illinois printer for printing. The temporary storage exemption cannot be claimed on the paper in this situation because the applicable tax is the Retailers' Occupation Tax, since the paper was purchased by customer from an Illinois paper retailer.

TIRE TAX

92-0475
\$1.00

09/09/1992 The Tire User Fee is to be reported quarterly on the ST-8; the fee is not to be included in the gross receipts on the ST-1.

USE TAX

- 92-0352 \$1.25 07/06/1992 Illinois Use Tax liability is incurred on purchases from out-of-State suppliers based on the Illinois user's cost price of the item. A credit is available for sales taxes properly paid to another state.
- 92-0363 \$1.75 07/15/1992 An out-of-State retailer with nexus in Illinois must collect the Illinois Use Tax on sales made and shipped to Illinois location. The rate of tax it must collect is 6.25%. Section 150.201(i) explains what constitutes "nexus," and Section 130.801(c)(1) describes the obligations of such out-of-State retailers doing business in the State of Illinois.
- 92-0364 \$1.00 07/15/1992 Persons purchasing tangible personal property from Illinois retailers and receiving physical possession of those items in this State owe Use Tax. There is no provision in Illinois tax laws for refunds of tax to foreign visitors purchasing tangible personal property from Illinois retailers under the above conditions.
- 92-0370 \$1.00 07/16/1992 The temporary storage exemption requires that the item be acquired outside Illinois temporarily stored in Illinois and then be used entirely outside Illinois.
- 92-0385 \$1.25 07/27/1992 If a seller accepting returned merchandise does not provide the purchaser with a credit against new merchandise purchased, or a refund of the sales tax, he must remit the overcollection to the Department. Knowing overcollections constitute Class 4 Felonies. The regulations governing returned merchandise transactions are found at Section 1130.401 of the Department's administrative regulations.
- 92-0392 \$1.50 07/29/1992 In order to avoid multi-state taxation, the Use Tax does not apply to the use, in this State, of tangible personal property acquired outside this State and caused to be brought into this State by a person who has already paid a tax in another state in respect to the sale, purchase or use of such property to the extent of the amount of such tax properly due and paid in such other state.
- 92-0406 08/05/1992 It is a Class A misdemeanor for a retailer to

\$1.00 advertise that he will pay or absorb the cost of the sales tax on a purchase.

92-0434 \$1.75 08/19/1992 The temporary storage exemption applies in situations where the only applicable tax is the Use Tax. If the sale is subject to Retailers' Occupation Tax, the temporary storage exemption cannot be claimed.

92-0466 \$1.25 09/03/1992 An out-of-State seller which does not accept purchase orders in Illinois and which does not maintain an inventory in Illinois does not incur Retailers' Occupation Tax liability on its sales to Illinois customers. However, if that seller has representatives in Illinois, it is required to collect Illinois Use Tax from its Illinois customers.

92-0468 \$1.25 09/04/1992 Pursuant to Section 3a of the Use Tax Act, the bill to the customer must show the Use Tax as a separate and distinct item for those items subject to tax.

92-0474 \$1.00 09/09/1992 When kayaks are purchased from an out-of-State retailer and brought into this State for use, the purchaser must pay State and local Use Taxes on the kayaks before they can be registered with the Department of Conservation.

92-0488 \$1.25 09/17/1992 When a serviceman agrees to provide maintenance on a particular item for a stated period of time, the sale of the maintenance contract is not subject to tax. Instead, the serviceman owes Use Tax on the cost price of the tangible personal property transferred incident to repair. See Section 140.301(b)(3).

92-0509 \$1.00 09/30/1992 The use of or exercise or ownership over property in this state purchased anywhere at retail from a retailer is subject to the Use Tax. This applies to items purchased out-of-State and brought back to Illinois as well as items purchased from mail order companies.

DEPARTMENT OF COMMERCE AND COMMUNITY AFFAIRS

NOTICE OF REGULATORY FLEXIBILITY IMPACT ANALYSIS

Upon initial review, it has been determined that the following proposed rules promulgated by state agencies may impact small business:

CONSERVATION, DEPARTMENT OF

Commercial Fishing & Musseling in Certain Waters of the State; 17 Ill. Adm. Code 830
Published on November 20, 1992 at 16 Ill. Reg. 17405

PUBLIC AID, DEPARTMENT OF

Medical Payment; 89 Ill. Adm. Code 140
Published on November 20, 1992 at 16 Ill. Reg. 17461

SAVINGS AND LOAN ASSOCIATIONS, COMMISSIONER OF
Residential Mortgage License Act of 1987;
38 Ill. Adm. Code 450

Published on November 20, 1992 at 16 Ill. Reg. 17570

Persons wishing to obtain more information concerning the impact on small business may contact:

Linda Brand
Department of Commerce and Community Affairs
Office of Regulatory Assistance
620 East Adams Street/6th Floor
Springfield, IL 62701
(217) 524-1516

JOINT COMMITTEE ON ADMINISTRATIVE RULES
STATE OF ILLINOIS CENTER

ROOM 16-503

CHICAGO, ILLINOIS

10:00 A.M.

DECEMBER 15, 1992

NOTICE: It is the policy of the Committee to allow only representatives of state agencies to testify orally on any rule under consideration at Committee hearings. If members of the public wish to express their views with respect to a proposed rule, they should submit written comments to the Office of the Joint Committee on Administrative Rules at the following address:

Joint Committee on Administrative Rules
700 Stratton Building
Springfield, Illinois 62706

AGENDA

I. Approval of November 17, 1992 Minutes

II. Review of Proposed Agency Rulemaking

Aging

1. Community Care Program (89 Ill Adm Code 240)
-First Notice Published: 16 Ill Reg 12251 - 8/7/92
-Expiration of Second Notice Period: 12/21/92

Central Management Services

2. Pay Plan (80 Ill Adm Code 310)
-First Notice Published: 16 Ill Reg 14001 - 9/18/92
-Expiration of Second Notice Period: 12/21/92

3. Acquisition, Management and Disposal of Real Property (44 Ill Adm Code 5000)
-First Notice Published: 16 Ill Reg 11378 - 7/17/92
-Expiration of Second Notice Period: 12/17/92

4. Standard Procurement (44 Ill Adm Code 1)
-First Notice Published: 16 Ill Reg 12808 - 8/21/92
-Expiration of Second Notice Period: 1/6/93

Children and Family Services

5. Repeal of Review and Appeal Process (89 Ill Adm Code 309)
-First Notice Published: 16 Ill Reg 7982 - 5/29/92
-Expiration of Second Notice Period: 12/21/92

6. Service Appeal Process (89 Ill Adm Code 337)
-First Notice Published: 16 Ill Reg 7999 - 5/29/92
-Expiration of Second Notice Period: 12/21/92
7. Appeal of Child Abuse and Neglect Investigation Findings (89 Ill Adm Code 336)
-First Notice Published: 16 Ill Reg 7963 - 12/21/92
-Expiration of Second Notice Period: 12/21/92

Commerce and Community Affairs

8. Enterprise Zone Program (14 Ill Adm Code 520)
-First Notice Published: 16 Ill Reg 13691 - 9/11/92
-Expiration of Second Notice Period: 1/8/93

Commerce Commission

9. Procedures for Gas, Electric, Water and Sanitary Sewer Utilities Governing Eligibility for Service, Deposits, Payment Practices and Discontinuance of Service (83 Ill Adm Code 280)
-First Notice Published: 16 Ill Reg 12810 - 8/21/92
-Expiration of Second Notice Period: 12/30/92

10. Notice Requirements for Change in Rates for Cooling, Electric, Gas, Telecommunications, Sewer or Water Services (83 Ill Adm Code 255)
-First Notice Published: 16 Ill Reg 13703 - 9/11/92
-Expiration of Second Notice Period: 12/30/92

Conservation

11. The Taking of Wild Turkeys - Fall Archery Season (17 Ill Adm Code 720)
-First Notice Published: 16 Ill Reg 15260 - 10/9/92
-Expiration of Second Notice Period: 1/8/93
12. White-Tailed Deer Hunting by Use of Bow and Arrow (17 Ill Adm Code 670)
-First Notice Published: 16 Ill Reg 15265 - 10/9/92
-Expiration of Second Notice Period: 1/8/93

Developmental Finance Authority

13. Employee Ownership Assistance Program (14 Ill Adm Code 1230)
-First Notice Published: 16 Ill Reg 9222 - 6/19/92
-Expiration of Second Notice Period: 12/21/92

Employment Security

14. Payment of Unemployment Contributions, Interest and Penalties (56 Ill Adm Code 2765)
-First Notice Published: 16 Ill Reg 12006 - 7/31/92
-Expiration of Second Notice Period: 12/27/92
15. Determination of Unemployment Contributions (56 Ill Adm Code 2770)
-First Notice Published: 16 Ill Reg 15625 - 10/16/92
-Expiration of Second Notice Period: 1/14/93
16. Payment of Unemployment Contributions, Interest and Penalties (56 Ill Adm Code 2765)
-First Notice Published: 16 Ill Reg 15638 - 10/16/92
-Expiration of Second Notice Period: 1/14/93

Financial Institutions

17. Uniform Disposition of Unclaimed Property Act (38 Ill Adm Code 180)
-First Notice Published: 16 Ill Reg 14006 - 9/18/92
-Expiration of Second Notice Period: 12/21/92

Historic Preservation Agency

18. Rules for Review of State Agency Undertakings (17 Ill Adm Code 4180)
-First Notice Published: 16 Ill Reg 13718 - 9/11/92
-Expiration of Second Notice Period: 1/8/93

Insurance

19. Group Coverage Discontinuance and Replacement (50 Ill Adm Code 2013)
-First Notice Published: 16 Ill Reg 10375 - 7/6/92
-Expiration of Second Notice Period: 12/28/92

Labor

20. Health and Safety (56 Ill Adm Code 350)
-First Notice Published: 16 Ill Reg 3780 - 3/13/92
-Expiration of Second Notice Period: 12/16/92

Mines and Minerals

21. The Illinois Oil and Gas Act (62 Ill Adm Code 240)
-First Notice Published: 16 Ill Reg 13722 - 9/11/92
-Expiration of Second Notice Period: 1/6/93

Public Aid

22. Aid to the Aged, Blind or Disabled (89 Ill Adm Code 113)
-First Notice Published: 16 Ill Reg 13383 - 9/4/92
-Expiration of Second Notice Period: 12/21/92

23. Medical Payment (89 Ill Adm Code 140)
-First Notice Published: 16 Ill Reg 7576 - 5/15/92
-Expiration of Second Notice Period: 12/21/92

24. Hospital Services (89 Ill Adm Code 148)
-First Notice Published: 16 Ill Reg 10868 - 7/10/92
-Expiration of Second Notice Period: 12/21/92

25. Food Stamps (89 Ill Adm Code 121)
-First Notice Published: 16 Ill Reg 13385 - 9/4/92
-Expiration of Second Notice Period: 12/21/92

26. General Assistance (89 Ill Adm Code 114)
-First Notice Published: 16 Ill Reg 13395 - 9/4/92
-Expiration of Second Notice Period: 12/21/92

27. Aid to Families with Dependent Children (89 Ill Adm Code 112)
-First Notice Published: 16 Ill Reg 13381 - 9/4/92
-Expiration of Second Notice Period: 12/21/92

28. Application Process (89 Ill Adm Code 110)
-First Notice Published: 16 Ill Reg 13207 - 8/28/92
-Expiration of Second Notice Period: 12/21/92

29. Medical Payment (89 Ill Adm Code 140)
-First Notice Published: 16 Ill Reg 13397 - 9/4/92
-Expiration of Second Notice Period: 12/15/92

30. Medical Assistance Programs (89 Ill Adm Code 120)
-First Notice Published: 16 Ill Reg 14544 - 9/25/92
-Expiration of Second Notice Period: 1/4/93

31. Aid to Families with Dependent Children (89 Ill Adm Code 112)
-First Notice Published: 16 Ill Reg 14522 - 9/25/92
-Expiration of Second Notice Period: 1/4/93

32. Crisis Assistance (89 Ill Adm Code 116)
-First Notice Published: 16 Ill Reg 13764 - 9/11/92
-Expiration of Second Notice Period: 1/6/93

33. Medical Payment (89 Ill Adm Code 140)
-First Notice Published: 16 Ill Reg 13211 - 8/28/92
-Expiration of Second Notice Period: 1/8/93

34. Support Responsibility of Relatives (89 Ill Adm Code 103)
-First Notice Published: 16 Ill Reg 14178 - 9/18/92
-Expiration of Second Notice Period: 1/8/93

Public Health

35. College Immunization Code (77 Ill Adm Code 694)
-First Notice Published: 16 Ill Reg 13414 - 9/4/92
-Expiration of Second Notice Period: 1/4/93

36. School Child Immunization Code (77 Ill Adm Code 695)
-First Notice Published: 16 Ill Reg 13472 - 9/4/92
-Expiration of Second Notice Period: 1/4/93

37. Prevention of Lead Poisoning (77 Ill Adm Code 845)
-First Notice Published: 16 Ill Reg 12314 - 8/7/92
-Expiration of Second Notice Period: 1/8/93

38. Plumbers Licensing Code (68 Ill Adm Code 750)
-First Notice Published: 16 Ill Reg 15056 - 10/2/92
-Expiration of Second Notice Period: 1/8/93

Racing Board

39. Medication (11 Ill Adm Code 509)
-First Notice Published: 16 Ill Reg 6955 - 5/1/92
-Expiration of Second Notice Period: 12/16/92

Revenue

40. Retailers' Occupation Tax (86 Ill Adm Code 130)
-First Notice Published: 16 Ill Reg 14554 - 9/25/92
-Expiration of Second Notice Period: 1/8/93

41. Use Tax (86 Ill Adm Code 150)
-First Notice Published: 16 Ill Reg 14563 - 9/25/92
-Expiration of Second Notice Period: 1/8/93

Secretary of State

42. Revised Uniform Limited Partnership Act (14 Ill Adm Code 170)
-First Notice Published: 16 Ill Reg 13784 - 9/11/92
-Expiration of Second Notice Period: 12/21/92

Trustees of the University of Illinois

43. Program Content and Guidelines for Division of Specialized Care for Children (89 Ill Adm Code 1200)
-First Notice Published: 16 Ill Reg 15354 - 10/9/92
-Expiration of Second Notice Period: 1/8/93

III. Certification of No Objection to Proposed Rulemaking

IV. Review of Emergency and Peremptory Rulemakings

Agriculture

44. Meat and Poultry Inspection Act (8 Ill Adm Code 125) (Peremptory)
 -Notice Published: 16 Ill Reg 17165 - 11/6/92

Commerce and Community Affairs

45. Low Income Home Energy Assistance Program (47 Ill Adm Code 100) (Emergency)
 -Notice Published: 16 Ill Reg 17136 - 11/6/92

Public Aid

46. Aid to the Aged, Blind or Disabled (89 Ill Adm Code 113) (Emergency)
 -Notice Published: 16 Ill Reg 17154 - 11/6/92
47. Aid to the Aged, Blind or Disabled (89 Ill Adm Code 113) (Emergency)
 -Notice Published: 16 Ill Reg 17764 - 11/20/92
48. General Assistance (89 Ill Adm Code 114) (Emergency)
 -Notice Published: 16 Ill Reg 17772 - 11/20/92
49. Medical Payment (89 Ill Adm Code 140) (Emergency)
 -Notice Published: 16 Ill Reg 18097 - 11/30/92

Department of Public Health

50. The Illinois Formulary for the Drug Product Selection Program (77 Ill Adm Code 790) (Emergency)
 -Notice Published: 16 Ill Reg 17781 - 11/20/92

State Police Merit Board

51. Procedures of the Department of State Police Merit Board (80 Ill Adm Code 150) (Emergency)
 -Notice Published: 16 Ill Reg 17372 - 11/13/92

V. Exempt Rulemakings

Pollution Control Board

52. Carbon Monoxide Emissions (35 Ill Adm Code 720)
 -Proposed Date: 6/19/92
 -Adopted Date: 11/20/92

53. Identification and Listing of Hazardous Waste (35 Ill Adm Code 721)
 -Proposed Date: 6/19/92
 -Adopted Date: 11/20/92

54. Interim Status Standards for Owners and Operators of Hazardous Waste Treatment Storage and Disposal Facilities (35 Ill Adm Code 725)
 -Proposed Date: 6/19/92
 -Adopted Date: 11/20/92

55. Standards Applicable to Generators of Hazardous Waste (35 Ill 722)
 -Proposed Date: 6/19/92
 -Adopted Date: 11/20/92

56. Standards for Owners and Operators of Hazardous Waste Treatment, Storage and Disposal Facilities (35 Ill Adm Code 724)
 -Proposed Date: 6/19/92
 -Adopted Date: 11/20/92

VI. Agency Response to Joint Committee Action

Department of Rehabilitation Services

57. Non-Homemaker Service Provider Requirements (89 Ill Adm Code 714)
 -First Published: 2/28/92
 -Objection Date: 8/11/92
 -Response: Agreement

JOINT COMMITTEE ON ADMINISTRATIVE RULES
ILLINOIS GENERAL ASSEMBLY

SECOND NOTICES RECEIVED

The following second notices were received by the Joint Committee on Administrative Rules during the period of November 25, 1992 through December 1, 1992, and have been scheduled for review by the Committee at its December 15, 1992 meeting. Other items not contained in this published list may also be considered. Members of the public wishing to express their views with respect to a rule should submit written comments to the Committee at the following address: Joint Committee on Administrative Rules, 700 Stratton Office Bldg., Springfield, IL 62706.

Second Notice Expires	Agency and Rule	Start of First Notice	JCAR Meeting
1/8/93	Department of Revenue, Retailers' Occupation Tax (86 Ill Adm Code 130)	9/25/92 16 Ill Reg 14554	12/15/92
1/8/93	Board of Trustees of the University of Illinois, Program Content and Guidelines for Division of Specialized Care for Children (89 Ill Adm Code 1200)	10/9/92 16 Ill Reg 15354	12/15/92
1/8/93	Department of Conservation, The Taking of Wild Turkeys - Fall Archery Season (17 Ill Adm Code 720)	10/9/92 16 Ill Reg 15260	12/15/92
1/8/93	Department of Conservation, White-Tailed Deer Hunting by Use of Bow and Arrow (17 Ill Adm Code 670)	10/9/92 16 Ill Reg 15265	12/15/92
1/8/93	Department of Revenue, Use Tax (86 Ill Adm Code 150)	9/25/92 16 Ill Reg 14563	12/15/92
1/8/93	Department of Commerce and Community Affairs, Enterprise Zone Program (14 Ill Adm Code 520)	9/11/92 16 Ill Reg 13691	12/15/92
1/8/93	Department of Public Aid, Medical Payment (89 Ill Adm Code 140)	8/28/92 16 Ill Reg 13211	12/15/92
1/8/93	Department of Public Aid, Support Responsibility of Relatives (89 Ill Adm Code 103)	9/18/92 16 Ill Reg 14178	12/15/92

JOINT COMMITTEE ON ADMINISTRATIVE RULES
ILLINOIS GENERAL ASSEMBLYSECOND NOTICES RECEIVED
(page 2)

Second Notice Expires	Agency and Rule	Start of First Notice	JCAR Meeting
1/8/93	Department of Public Health, Prevention of Lead Poisoning (77 Ill Adm Code 845)	8/7/92 16 Ill Reg 12314	12/15/92
1/8/93	Department of Public Health, Plumbers Licensing Code (68 Ill Adm Code 750)	10/2/92 16 Ill Reg 15056	12/15/92
1/8/93	Illinois Historic Preservation Agency, Rules for Review of State Agency Undertakings (17 Ill Adm Code 4180)	9/11/92 16 Ill Reg 13718	12/15/92
1/14/93	Department of Employment Security, Determination of Unemployment Contributions (56 Ill Adm Code 2770)	10/16/92 16 Ill Reg 15625	12/15/92
1/14/93	Department of Employment Security, Payment of Unemployment Contributions, Interest and Penalties (56 Ill Adm Code 2765)	10/16/92 16 Ill Reg 15638	12/15/92

PROCLAMATION

92-531

PHI THETA KAPPA DAYS

Whereas, Phi Theta Kappa International Honor Society was founded in 1918 at Stephens College in Columbia, Missouri, to promote scholarship, fellowship, and leadership among students in two-year colleges; and

Whereas, Phi Theta Kappa is the only international honor society for two-year colleges with membership extending as far as Alaska, Hawaii, Puerto Rico, Canada, and Germany; and

Whereas, Phi Theta Kappa members use a hug, rather than a handshake, to symbolize spirit and brotherly love among its members; and

Whereas, the Delta Theta Chapter of Springfield College in Illinois is hosting Phi Theta Kappa's Illinois Regional Convention November 20-22 in Springfield; and

Whereas, the theme of the annual convention is "1492-1992: The Dynamics of Discovery," saluting Christopher Columbus' 500th Anniversary;

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim November 20-22, 1992, as PHI THETA KAPPA DAYS in Illinois.

Issued by the Governor November 17, 1992.
Filed with the Secretary of State November 30, 1992.

92-532

AIDS AWARENESS DAY

Whereas, the prevalence of HIV infection and AIDS necessitates a worldwide effort to increase communication, education, and preventive action to stop the transmission of HIV and the spread of AIDS; and

Whereas, the World Health Organization estimates between 10 million and 12 million people worldwide are infected with HIV, and more than 1.5 million of them have gone on to develop AIDS, including about 250,000 in the United States and more than 7,800 in Illinois; and

Whereas, the World Health Organization has designated December 1 of each year as World AIDS Day and the U.S. Department of Health and Human Services has annually designated December 1 as National AIDS Awareness Day; and

Whereas, World AIDS Day will focus on community commitments, reflecting concern for the increasing prevalence of HIV/AIDS and highlighting AIDS prevention and care activities, such as the Illinois Department of Public Health's new "Dracula -- See the Light" campaign encouraging teenagers and others not to be in the dark about the facts about AIDS and HIV; and

Whereas, World AIDS Day provides an opportunity to focus on HIV infection and AIDS, caring for people infected with HIV and

AIDS, and learning about AIDS;

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim December 1, 1992, as AIDS AWARENESS DAY in Illinois and urge all citizens to take part in activities and observances designed to increase awareness and understanding of AIDS, to take part in AIDS prevention activities and programs, and to join in the effort to prevent transmission of HIV and the further spread of AIDS.

Issued by the Governor November 20, 1992.

Filed with the Secretary of State November 30, 1992.

92-533

PROJECT RED RIBBON OBSERVANCE

Whereas, drunk driving claims the lives of more than 22,000 Americans each year. Statistics show that each day 60 people die on our nation's highways in alcohol-related crashes, compared to 70 people per day 10 years ago; and

Whereas, Mothers Against Drunk Drivers (MADD) has played a vital role in the enactment of more than 1,250 laws against drunk driving; and

Whereas, the fight against drunk driving has saved an estimated 39,000 lives during the past decade; and

Whereas, thousands of volunteers across our nation have dedicated countless hours to providing support for victims and their families and preventing further drunk driving tragedies; and

Whereas, December 1992 has been proclaimed as Drunk and Drugged Driving Prevention Month in Illinois; and

Whereas, MADD is sponsoring Project Red Ribbon nationwide, encouraging motorists to attach a red ribbon to their vehicle as a visual reminder not to drink and drive;

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim the upcoming holiday season as PROJECT RED RIBBON OBSERVANCE in Illinois. I encourage all citizens to take part in the red ribbon campaign and to help make the holidays safer by driving sober this holiday season and throughout the year.

Issued by the Governor November 20, 1992.

Filed with the Secretary of State November 30, 1992.

92-534

GERMAN-AMERICAN SOCCER DAY

Whereas, for 28 years, the Sepp Herberger Committee has been sponsoring soccer clubs for Chicago-area youth; and

Whereas, the Sepp Herberger Committee promotes good citizenship and pride in its heritage to all who participate in its activities; and

Whereas, the annual Sepp Herberger Fund-Raising Dinner Dance is being held in November to express appreciation to the

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dedicated coaches, players, and trainers of the soccer clubs; Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim November 28, 1992, as GERMAN-AMERICAN SOCCER DAY in Illinois, in honor of youth soccer and all the individuals involved through the Sepp Herberger Committee.

Issued by the Governor November 23, 1992.
Filed with the Secretary of State November 30, 1992.

92-535

JAMES L. HICKLIN III DAY

Whereas, James L. Hicklin III is an extremely innovative dramatist and interpreter who has forged a brilliant career performing classic drama he created for the single actor and small ensembles; and

Whereas, Hicklin has performed in many cities across the country and has earned numerous awards and citations; and

Whereas, this distinguished actor will perform in Chicago the 60th edition of the production "The Story of the Other Wise Men," which has become a Yuletide tradition; and

Whereas, the classic production will be performed at the historic Olivet Baptist Church and dedicated to the memory of the late Madam LaJulia E. Rhea, America's first black opera diva;

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim December 6, 1992, as JAMES L. HICKLIN III DAY in Illinois in recognition of the cultural contributions he has made to our society.

Issued by the Governor November 23, 1992.

Filed with the Secretary of State November 30, 1992.

ACTION CODES	
A - Adopted Rule	P - Proposed Rule
AR - Adopted Repealer	PF - Prohibited Filing Order by JCAR*
C - Notice of Corrections	PP - Peremptory or Court Ordered Rules
CC - Codification Changes	PR - Proposed Repealer
E - Emergency Rule	R - Refusal to meet JCAR Objection
ER - Emergency Repealer	RC - Statement of Recommendation
M - Modification to meet JCAR objections	S - Suspension ordered by JCAR
O - JCAR Statement of Objections	W - Withdrawal to meet JCAR Objections
RQ - Request for Correction	
EC - Expedited Corrections	

*Joint Committee on Administrative Rules

ALL RULES ARE LISTED BY PART NUMBER AND HEADING ONLY. (FOR ACTION ON SPECIFIC SECTIONS, PLEASE REFER TO THE SECTIONS AFFECTED INDEX.) IF THERE ARE ANY QUESTIONS, PLEASE CONTACT THE ADMINISTRATIVE CODE DIVISION AT (217) 782-9786.

ABANDONED MINED LANDS RECLAMATION COUNCIL

- 62 Ill. Adm. Code 2501 Abandoned Mined Lands Reclamation (P-2719; A-8345) (E-2897) (P-11363) (P-14335/91; A-11403) (E-11625)
 4 Ill. Adm. Code 1000 Americans With Disabilities Act Grievance Procedure (P-12799)

AGING, DEPARTMENT ON

- 89 Ill. Adm. Code 240 Community Care Program (E-17398/91; S-1744; W-2955; M-2943) (P-17007/91; PF-1744; M-2930; A-11731) (E-2630) (E-2901) (E-4069; RC-6898) (P-4087; C-5083; A-14565) (P-12251; C-13662) (E-12613; M-16680) (P-11363; A-18767) (A-11403) (E-11625) (O-15183) (P-15203)
 89 Ill. Adm. Code 230 Older Americans Act Programs (P-3605; A-15401) (O-15184) (R-15590)

AGRICULTURE, DEPARTMENT OF

- 8 Ill. Adm. Code 1 Administrative Rules (Formal Administrative Proceedings; Contested Cases; Petitions; Declaratory Rulings; Public Disclosure) (P-8631; A-15850)
 4 Ill. Adm. Code 550 Americans With Disabilities Act Grievance Procedure (P-5097; A-11744)
 8 Ill. Adm. Code 30 Animal Control Act (P-3618; A-11751)
 8 Ill. Adm. Code 110 Animal Diagnostic Laboratory Act (P-3624; A-11416)
 8 Ill. Adm. Code 200 Commercial Feed Act (P-9169; A-15889)
 8 Ill. Adm. Code 85 Diseased Animals (P-3635; A-11756)
 8 Ill. Adm. Code 305 Governor's Agricultural Heritage Award (P-7949; A-13788)
 8 Ill. Adm. Code 55 Hatcheries, Poultry Flocks, & Produce Thereof (P-3646; A-11766)
 8 Ill. Adm. Code 90 Ill. Dead Animal Disposal Act (P-3653; A-11773)

AGRICULTURE, DEPARTMENT OF (CONT'D)

- 8 Ill. Adm. Code 115 Ill. Pseudorabies Control Act (P-3661; A-11781)
 8 Ill. Adm. Code 256 Lawncare & Wash Water Rinsate Collection (P-14975)
 8 Ill. Adm. Code 40 Livestock Auction Markets (P-3673; A-11793)
 8 Ill. Adm. Code 125 Meat & Poultry Inspection Act (PP-1899) (P-1921; A-8349) (PP-11687) (PP-11963) (PP-12234) (PP-16337) (PP-17165)
 2 Ill. Adm. Code 700 Organizational Chart, Description, Rulemaking Procedure, & Programs (A-3893)

- 8 Ill. Adm. Code 235 Seed Arbitration (P-2969; A-8361)
 8 Ill. Adm. Code 211 Soil Amendments (P-7955; A-13794)
 68 Ill. Adm. Code 580 Specialty Farm Product Buyers Act (P-8671; A-15913)
 8 Ill. Adm. Code 5 Standardization of Agriculture Products (P-3231; A-8364)
 8 Ill. Adm. Code 105 Swine Disease Control & Eradication Act (P-3680; A-11799)

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- 4 Ill. Adm. Code 500 Americans With Disabilities Act Grievance Procedure (P-2721; A-11426)
 77 Ill. Adm. Code 2031 Award Criteria & Procedure (P-9149/91; AR-2455)
 77 Ill. Adm. Code 2030 Award & Monitoring of Funds (P-9083/91; A-2457)
 77 Ill. Adm. Code 2056 Driving Under the Influence Programs (P-4567; A-15917)
 77 Ill. Adm. Code 2030 Fiscal & Programmatic Requirements (P-9153/91; AR-2530)
 77 Ill. Adm. Code 2090 Subacute Alcoholism & Substance Abuse Treatment Services (P-5104; A-11807)
 77 Ill. Adm. Code 2032 Suspension & Termination of Financial Assistance (P-9218; AR-2533)
 77 Ill. Adm. Code 2080 Triplicate Prescription Control Program (P-11367; O-16691; RC-16692)

APPELLATE PROSECUTOR, STATE'S ATTORNEYS

- 2 Ill. Adm. Code 351 Freedom of Information (A-13229)

ATTORNEY GENERAL

- 4 Ill. Adm. Code 125 Americans With Disabilities Act Grievance Procedure (P-2283)

BANKS AND TRUST COMPANIES, COMMISSIONER OF

- 38 Ill. Adm. Code 307 Acquisition of Former Main Banking Premises or Branches of Eligible Depository Institutions (P-5391; A-12416)
 38 Ill. Adm. Code 354 Administration of Assets Obtained in Collection of a Debt (P-5395; A-12420)
 4 Ill. Adm. Code 375 Americans With Disabilities Act Grievance Procedure (P-4125; A-15976)
 38 Ill. Adm. Code 310 Electronic Fund Transfers (P-10125; RC-16693; A-17589) (E-10353; RC-12643)

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- 4 Ill. Adm. Code 725 Americans With Disabilities Act Grievance Procedure (P-3689; A-11432)
 44 Ill. Adm. Code 950 Prequalification & Suspension of Contractors (P-3695; A-12424)
 2 Ill. Adm. Code 1650 Rules of the Capital Development Board (A-13237)

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- 56 Ill. Adm. Code 6000 Carnival & Amusement Ride Inspection Law (P-5399; A-12436) (P-7543; A-15415) (E-7716)

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 4 III. Adm. Code 450 Americans With Disabilities Act Grievance Procedure (P-2292; A-8944)
 80 III. Adm. Code 303 Conditions of Employment (P-327; A-8368)
 89 III. Adm. Code 1300 Day Care (P-5141/91; A-4819)
 80 III. Adm. Code 304 General Provisions (P-334; RC-10499)
 80 III. Adm. Code 302 Merit & Fitness (P-336; A-8375; A-13489; P-11390; A-17607)
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 44 III. Adm. Code 5010 Marking, Inventory, Transfer & Disposal of State-Owned Personal Property (P-10127; A-17595)
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 80 III. Adm. Code 2650 Solicitation for Charitable Payroll Deductions (P-3235; A-11438)
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 80 III. Adm. Code 2120 State of Ill. Medical Care Assistance Plan (P-12074/91; A-13811)
 80 III. Adm. Code 2800 Travel (P-15199/91; A-4831) (P-7079; A-13823)

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- 89 III. Adm. Code 304 Access to & Eligibility for Child Welfare Services (P-7545)
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 89 III. Adm. Code 305 Client Service Planning (P-3403; A-16552) (A-12772)
 89 III. Adm. Code 377 Facilities & Programs Exempt from Licensure (P-7553)
 89 III. Adm. Code 352 Financial Responsibility of Parents or Guardians of the Estates of Children (P-13229/91; A-3924)
 89 III. Adm. Code 407 Licensing Standards for Day Care Centers (P-14729/92; A-7597)
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- 4 III. Adm. Code 575 Americans With Disabilities Act Grievance Procedure (P-7083; A-14621)
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- 17 Ill. Adm. Code 525 Nuisance Wildlife Control Permits (P-15647/91; A-1826)
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- 20 Ill. Adm. Code 435 Volunteer Services (P-1941; A-8166)

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Notice of Acceptance of An Application By Firststar Corporation and Firststar
Corporation of Ill., Milwaukee, Wisconsin, to Acquire First Geneva
Bancshares, Geneva, Ill. 4557

Notice of Acceptance of An Application by Comerica Incorporated, Detroit,

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SECRETARY OF STATE

Error in Printing

3597

REGULATORY AGENCY

REVENUE, DEPARTMENT OF

Income Tax; 86 Ill. Adm. Code 100

10362

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Department of Commerce and Community Affairs
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TYPE OF RULEMAKING

am = amendment to existing Section
cc = codification changes
n = new Section
r = repeal of existing Section
re = recodified
= renumbered

ACTION CODES

A = Adopted rule
C = Correction
P = Proposed Rule
E = Emergency rule
PP = Peremptory rule
M = Modification
W = Withdrawal
RQ = Request for Correction
PF = Prohibited filing
S = Suspension
O = ICAR Objection
R = Refusal to Modify
F = Failure to Remedy
Objections Objection
RC = Recommendation
EC = Expedited Correction
CC = Codification Changes

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1770.30	am	(P-16738)			
1770.40	am	(P-16738)			

TITLE 14

130.110	am	(P-14209/91; A-6000)
170.10	am	(P-5247; A-11196)
170.11	am	(P-5247; A-11196)
170.12	am	(P-5247; A-11196)
170.13	am	(P-5247; A-11196)
170.14	am	(P-5247; A-11196)
170.17	am	(P-5247; A-11196)
170.20	am	(P-5247; A-11196)
		(P-13784)
170.30	n	(P-5247; A-11196)
175.10	am	(P-7518/91; A-4058)
520.900	am	(P-89)
520.920	am	(P-13691)
520.930	am	(P-89) (P-13691)
520.1020	am	(P-13691)
520.1030	am	(P-13691)
520.1100	n	(P-89)
520.1110	n	(P-89)
520.1120	n	(P-89)
520.1130	n	(P-89)
520.1140	n	(P-89)
526.10	n	(P-6524; A-17258)
526.20	n	(P-6524; A-17258)
526.30	n	(P-6524; A-17258)
526.40	n	(P-6524; A-17258)
526.50	n	(P-6524; A-17258)
526.60	n	(P-6524; A-17258)
526.70	n	(P-6524; A-17258)
526.80	n	(P-6524; A-17258)
526.90	n	(P-6524; A-17258)
550.20	am	(P-7090; A-14628)
550.30	am	(P-7090; A-14628)
550.35	am	(P-10249/91; A-3464)
550.40	am	(P-7090; A-14628)
550.50	am	(P-7090; A-14628)

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TITLE 14 (CONT'D)

550.60	am	(P-7090; A-14628)	130.30	am	(P-8275; A-15982)
1220.100	n	(P-8747/91; A-10163)	130.40	am	(P-8275; A-15982)
1220.110	n	(P-8747/91; A-10163)	130.50	am	(E-7925) (C-8614)
1220.120	n	(P-8747/91; A-10163)			(P-8275; A-15982)
1220.130	n	(P-8747/91; A-10163)	130.70	am	(E-7925) (C-8614)
1220.140	n	(P-8747/91; A-10163)			(P-8275; A-15982)
1220.150	n	(P-8747/91; A-10163)	130.120	am	(E-7925) (C-8614)
1220.160	n	(P-8747/91; A-10163)			(P-8275; A-15982)
1220.200	n	(P-8747/91; A-10163)	130.130	am	(E-7925) (C-8614)
1220.210	n	(P-8747/91; A-10163)			(P-8275; A-15982)
1220.220	n	(P-8747/91; A-10163)	130.135	am	(P-8275; A-15982)
1220.230	n	(P-8747/91; A-10163)	150.10	am	(P-18055/91; A-4839)
1220.240	n	(P-8747/91; A-10163)	150.20	am	(P-18055/91; A-4839)
1220.250	n	(P-8747/91; A-10163)	150.30	am	(P-18055/91; A-4839)
1220.300	n	(P-8747/91; A-10163)	150.40	am	(P-18055/91; A-4839)
1220.310	n	(P-8747/91; A-10163)	220.60	am	(P-18055/91; A-4839)
1220.320	n	(P-8747/91; A-10163)	510.10	am	(P-5436; A-11064)
1220.330	n	(P-8747/91; A-10163)	525.30	am	(P-15647/91; A-1826)
1220.400	n	(P-8747/91; A-10163)	530.10	am	(P-7161; A-12470)
1220.410	n	(P-8747/91; A-10163)	530.20	am	(P-7161; A-12470)
1220.500	n	(P-8747/91; A-10163)	530.70	am	(P-7161; A-12470)
1220.510	n	(P-8747/91; A-10163)			(P-12280; A-18951)
1220.520	n	(P-8747/91; A-10163)	530.80	am	(P-7161; A-12470)
1230.100	n	(P-9222)	530.90	am	(P-12280; A-18951)
1230.110	n	(P-9222)			(P-7161; A-12470)
1230.200	n	(P-9222)	530.100	am	(P-7161; A-12470)
1230.210	n	(P-9222)			(P-12280; A-18951)
1230.300	n	(P-9222)	530.105	am	(P-7161; A-12470)
1230.310	n	(P-9222)			(P-12280; A-18951)
1230.400	n	(P-9222)	530.110	am	(P-7161; A-12470)
1230.500	n	(P-9222)			(P-12280; A-18951)
1230.510	n	(P-9222)	530.115	n	(P-7161; A-12470)
1230.520	n	(P-9222)	530.120	am	(P-7161; A-12470)
1230.530	n	(P-9222)	550.20	am	(P-5454; A-11078)
1230.540	n	(P-9222)	550.30	am	(P-5454; A-11078)
			570.20	am	(P-5443; A-11069)
			570.30	am	(P-5443; A-11069)
			570.40	am	(P-5443; A-11069)
			590.10	am	(P-7189; A-12491)
					(E-16672)
			590.20	am	(P-7189; A-12491)
					(P-7189; A-12491)
			590.25	am	(P-7189; A-12491)
			590.26	n	(P-7189; A-12491)
			590.30	am	(P-7189; A-12491)
			590.50	am	(P-7189; A-12491)
			590.60	am	(P-14157/91; A-570)
					(P-7189; A-12491)
					(P-18045/91; A-4835)
					(P-18045/91; A-4835)
					(P-18045/91; A-4835)

TITLE 17

110.4	n	(E-7934; C-8615)
110.30	am	(P-8289; A-15435)
110.40	am	(P-8289; A-15435)
110.90	am	(P-8289; A-15435)
110.100	am	(P-8289; A-15435)
110.150	am	(P-8289; A-15435)
110.165	n	(P-8289; A-15435)
110.170	am	(P-8289; A-15435)
115.10	am	(P-18045/91; A-4835)
115.30	am	(P-18045/91; A-4835)
115.40	am	(P-18045/91; A-4835)
115.50	am	(P-18045/91; A-4835)

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TITLE 17 (CONT'D)

590.70	n	(E-18851)	715.40	am	(P-5475; A-11101)
620.10	n	(P-12302)	720.10	am	(P-5466; A-11093)
620.20	n	(P-12302)			(P-15260)
620.30	n	(P-12302)	720.20	am	(P-5466; A-11093)
620.40	n	(P-12302)	720.30	am	(P-5466; A-11093)
620.50	n	(P-12302)			(P-8681; A-15442)
620.Ex.A	n	(P-12302)	720.40	am	(P-5466; A-11093)
650.10	am	(P-5501; A-11131)			(P-15260)
650.20	am	(P-5501; A-11131)	730.20	am	(P-5143; A-11041)
650.21	am	(P-5501; A-11131)	730.30	am	(P-5143; A-11041)
650.22	am	(P-5501; A-11131)	740.10	am	(P-5540; A-11162)
650.23	am	(P-5501; A-11131)	740.20	am	(P-5540; A-11162)
650.40	am	(P-5501; A-11131)	810.20	am	(P-17414)
650.50	am	(P-5501; A-11131)	810.35	am	(P-17817/91; A-5267)
650.60	am	(P-5501; A-11131)			(P-17414)
660.10	am	(P-5525; A-11150)	810.37	am	(P-17817/91; A-5267)
660.21	am	(P-5525; A-11150)			(P-17414)
660.25	am	(P-5525; A-11150)	810.45	am	(P-17817/91; A-5267)
660.30	am	(P-5525; A-11150)			(P-6571; A-12526)
660.40	am	(P-5525; A-11150)	810.60	am	(E-6016) (P-17414)
660.45	am	(P-5525; A-11150)			(P-17817/91; A-5267)
660.60	am	(P-5525; A-11150)	810.70	am	(P-17414)
670.10	am	(P-5482; A-11116)			(P-17414)
670.20	am	(P-5482; A-11116)	810.90	am	(P-17817/91; A-5267)
670.30	am	(P-5482; A-11116)	830.10	am	(P-17405)
670.40	am	(P-5482; A-11116)	830.20	am	(P-17405)
670.50	am	(P-5482; A-11116)	830.40	am	(P-17405)
670.60	am	(P-5482; A-11116)	830.60	am	(P-18327/91; A-5257)
680.10	am	(P-10138; A-15446)	830.70	am	(P-18327/91; A-5257)
680.20	am	(P-10138; A-15446)	830.80	am	(P-17405)
680.60	am	(P-10138; A-15446)	830.90	am	(P-18327/91; A-5257)
680.70	am	(P-10138; A-15446)			(P-17405)
680.80	am	(P-10138; A-15446)	850.10	am	(P-4616; A-11029)
690.20	am	(P-5157; A-11087)	850.20	am	(P-4616; A-11029)
690.30	am	(P-5157; A-11087)			(E-12626) (P-12818;
710.10	am	(P-14833/91; A-1843)	850.30	am	A-18967)
710.20	am	(P-14833/91; A-1843)	850.40	am	(P-4616; A-11029)
710.21	n	(P-18181)	850.50	am	(E-12626) (P-12818;
710.30	am	(P-14833/91; A-1843)			A-18967)
710.50	am	(P-14833/91; A-1843)	880.10	n	(P-13603/91; A-109)
715.10	am	(P-18181)	880.20	n	(P-13603/91; A-109)
715.20	am	(P-5475; A-11101)	880.30	n	(P-13603/91; A-109)
		(P-5475; A-11101)	880.40	n	(P-13603/91; A-109)
		(P-5475; A-11101)	880.50	n	(P-13603/91; A-109)
		(P-5475; A-11101)	890.10	n	(P-17811/91; A-5262)
		(P-5475; A-11101)	890.20	n	(P-17811/91; A-5262)
		(P-5475; A-11101)	890.30	n	(P-17811/91; A-5262)
		(P-5475; A-11101)	890.40	n	(P-17811/91; A-5262)

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TITLE 17 (CONT'D)		TITLE 20	
890.50	n	210.20	am
950.20	am	210.30	am
950.40	am	226.605	am
960.30	am	226.640	am
970.10	r	405.20	am
970.20	r	405.50	am
970.30	r	405.60	am
970.40	r	435.10	am
970.50	r	435.12	am
970.60	r	435.15	am
1110.30	am	435.20	am
1530.30	am	435.30	am
1530.50	am	435.40	am
1530.60	am	435.50	am
1530.Ex.A	n	435.60	am
1530.Ex.B	n	435.70	am
1535.1	n	435.80	am
1535.5	am	4170.100	n
1535.50	am	4170.110	n
1538.5	n	4170.120	n
1538.10	n	4170.130	n
1538.20	n	4170.200	n
1538.30	n	4170.210	n
1538.40	n	4170.250	n
1538.50	n	4170.300	n
1538.60	n	4170.310	n
1538.70	n	4170.320	n
1538.80	n	4170.330	n
1538.90	n	4170.340	n
1539.00	n	4170.400	n
1539.10	n	4170.410	n
1539.20	n	4170.420	n
1539.30	n	4170.430	n
1539.40	n	4170.440	n
1539.50	n	4170.500	n
1539.60	n	4170.550	n
1539.70	n	4170.600	n
1539.80	n	4170.610	n
1539.90	n	4170.620	n
1540.00	n	4170.630	n
1540.10	n	4170.640	n
1540.20	n	4170.650	n
1540.30	n	4170.700	n
1540.40	n	4170.710	n
1540.50	n	4170.720	n
1540.60	n	4170.800	n
1540.70	n	4180.120	am
1540.80	n	4180.130	am
1540.90	n	4180.140	am
1541.00	n	4180.150	am
1541.10	n	4180.160	am
1541.20	n	4180.170	am
1541.30	n	4180.180	am
1541.40	n	4180.190	am
1541.50	n	4180.200	am
1541.60	n	4180.210	am
1541.70	n	4180.220	am
1541.80	n	4180.230	am
1541.90	n	4180.240	am
1542.00	n	4180.250	am
1542.10	n	4180.260	am
1542.20	n	4180.270	am
1542.30	n	4180.280	am
1542.40	n	4180.290	am
1542.50	n	4180.300	am
1542.60	n	4180.310	am
1542.70	n	4180.320	am
1542.80	n	4180.330	am
1542.90	n	4180.340	am
1543.00	n	4180.350	am
1543.10	n	4180.360	am
1543.20	n	4180.370	am
1543.30	n	4180.380	am
1543.40	n	4180.390	am
1543.50	n	4180.400	am
1543.60	n	4180.410	am
1543.70	n	4180.420	am
1543.80	n	4180.430	am
1543.90	n	4180.440	am
1544.00	n	4180.450	am
1544.10	n	4180.460	am
1544.20	n	4180.470	am
1544.30	n	4180.480	am
1544.40	n	4180.490	am
1544.50	n	4180.500	am
1544.60	n	4180.510	am
1544.70	n	4180.520	am
1544.80	n	4180.530	am
1544.90	n	4180.540	am
1545.00	n	4180.550	am
1545.10	n	4180.560	am
1545.20	n	4180.570	am
1545.30	n	4180.580	am
1545.40	n	4180.590	am
1545.50	n	4180.600	am
1545.60	n	4180.610	am
1545.70	n	4180.620	am
1545.80	n	4180.630	am
1545.90	n	4180.640	am
1546.00	n	4180.650	am
1546.10	n	4180.660	am
1546.20	n	4180.670	am
1546.30	n	4180.680	am
1546.40	n	4180.690	am
1546.50	n	4180.700	am
1546.60	n	4180.710	am
1546.70	n	4180.720	am
1546.80	n	4180.730	am
1546.90	n	4180.740	am
1547.00	n	4180.750	am
1547.10	n	4180.760	am
1547.20	n	4180.770	am
1547.30	n	4180.780	am
1547.40	n	4180.790	am
1547.50	n	4180.800	am
1547.60	n	4180.810	am
1547.70	n	4180.820	am
1547.80	n	4180.830	am
1547.90	n	4180.840	am
1548.00	n	4180.850	am
1548.10	n	4180.860	am
1548.20	n	4180.870	am
1548.30	n	4180.880	am
1548.40	n	4180.890	am
1548.50	n	4180.900	am
1548.60	n	4180.910	am
1548.70	n	4180.920	am
1548.80	n	4180.930	am
1548.90	n	4180.940	am
1549.00	n	4180.950	am
1549.10	n	4180.960	am
1549.20	n	4180.970	am
1549.30	n	4180.980	am
1549.40	n	4180.990	am
1549.50	n	4181.000	am
1549.60	n	4181.010	am
1549.70	n	4181.020	am
1549.80	n	4181.030	am
1549.90	n	4181.040	am
1550.00	n	4181.050	am
1550.10	n	4181.060	am
1550.20	n	4181.070	am
1550.30	n	4181.080	am
1550.40	n	4181.090	am
1550.50	n	4181.100	am
1550.60	n	4181.110	am
1550.70	n	4181.120	am
1550.80	n	4181.130	am
1550.90	n	4181.140	am
1551.00	n	4181.150	am
1551.10	n	4181.160	am
1551.20	n	4181.170	am
1551.30	n	4181.180	am
1551.40	n	4181.190	am
1551.50	n	4181.200	am
1551.60	n	4181.210	am
1551.70	n	4181.220	am
1551.80	n	4181.230	am
1551.90	n	4181.240	am
1552.00	n	4181.250	am
1552.10	n	4181.260	am
1552.20	n	4181.270	am
1552.30	n	4181.280	am
1552.40	n	4181.290	am
1552.50	n	4181.300	am
1552.60	n	4181.310	am
1552.70	n	4181.320	am
1552.80	n	4181.330	am
1552.90	n	4181.340	am
1553.00	n	4181.350	am
1553.10	n	4181.360	am
1553.20	n	4181.370	am
1553.30	n	4181.380	am
1553.40	n	4181.390	am
1553.50	n	4181.400	am
1553.60	n	4181.410	am
1553.70	n	4181.420	am
1553.80	n	4181.430	am
1553.90	n	4181.440	am
1554.00	n	4181.450	am
1554.10	n	4181.460	am
1554.20	n	4181.470	am
1554.30	n	4181.480	am
1554.40	n	4181.490	am
1554.50	n	4181.500	am
1554.60	n	4181.510	am
1554.70	n	4181.520	am
1554.80	n	4181.530	am
1554.90	n	4181.540	am
1555.00	n	4181.550	am
1555.10	n	4181.560	am
1555.20	n	4181.570	am
1555.30	n	4181.580	am
1555.40	n	4181.590	am
1555.50	n	4181.600	am
1555.60	n	4181.610	am
1555.70	n	4181.620	am
1555.80	n	4181.630	am
1555.90	n	4181.640	am
1556.00	n	4181.650	am
1556.10	n	4181.660	am
1556.20	n	4181.670	am
1556.30	n	4181.680	am
1556.40	n	4181.690	am
1556.50	n	4181.700	am
1556.60	n	4181.710	am
1556.70	n	4181.720	am
1556.80	n	4181.730	am
1556.90	n	4181.740	am
1557.00	n	4181.750	am
1557.10	n	4181.760	am
1557.20	n	4181.770	am
1557.30	n	4181.780	am
1557.40	n	4181.790	am
1557.50	n	4181.800	am
1557.60	n	4181.810	am
1557.70	n	4181.820	am
1557.80	n	4181.830	am
1557.90	n	4181.840	am
1558.00	n	4181.850	am
1558.10	n	4181.860	am
1558.20	n	4181.870	am
1558.30	n	4181.880	am
1558.40	n	4181.890	am
1558.50	n	4181.900	am
1558.60	n	4181.910	am
1558.70	n	4181.920	am
1558.80	n	4181.930	am
1558.90	n	4181.940	am
1559.00	n	4181.950	am
1559.10	n	4181.960	am
1559.20	n	4181.970	am
1559.30	n	4181.980	am
1559.40	n	4181.990	am
1559.50	n	4182.000	am
1559.60	n	4182.010	am
1559.70	n	4182.020	am
1559.80	n	4182.030	am
1559.90	n	4182.040	am
1560.00	n	4182.050	am
1560.10	n	4182.060	am
1560.20	n	4182.070	am
1560.30	n	4182.080	am
1560.40	n	4182.090	am
1560.50	n	4182.100	am
1560.60	n	4182.110	am
1560.70	n	4182.120	am
1560.80	n	4182.130	am
1560.90	n	4182.140	am
1561.00	n	4182.150	am
1561.10	n	4182.160	am
1561.20	n	4182.170	am
1561.30	n	4182.180	am
1561.40	n	4182.190	am
1561.50	n	4182.200	am
1561.60	n	4182.210	am
1561.70	n	4182.220	am
1561.80	n	4182.230	am
1561.90	n	4182.240	am
1562.00	n	4182.250	am
1562.10	n	4182.260	am
1562.20	n	4182.270	am
1562.30	n	4182.280	am
1562.40	n	4182.290	am
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1562.70	n	4182.320	am
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1563.20	n	4182.370	am
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1810.620	228.30	am	(P-7231; RC-16694; A-18986)
1810.660	228.50	am	(P-7231; RC-16694; A-18986)
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1810.730	235.40	n	(P-7231; RC-16694; A-18986)
1810.800	235.45	n	(P-7231; RC-16694; A-18986)
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1810.910	235.60	n	(P-7231; RC-16694; A-18986)
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254.105	n	(P-17195)	307.2402	am	(P-17523/91; A-7377)
254.106	n	(P-17195)	307.2403	am	(P-17523/91; A-7377)
254.107	n	(P-17195)	307.2404	am	(P-17523/91; A-7377)
254.108	n	(P-17195)	307.2405	am	(P-17523/91; A-7377)
254.109	n	(P-17195)	307.2406	am	(P-17523/91; A-7377)
254.110	n	(P-17195)	307.2407	am	(P-17523/91; A-7377)
254.111	n	(P-17195)	307.2490	am	(P-17523/91; A-7377)
254.112	n	(P-17195)	307.3100	am	(P-17523/91; A-7377)
254.130	n	(P-17195)	307.3109	am	(P-17523/91; A-7377)
254.131	n	(P-17195)	307.3115	am	(P-17523/91; A-7377)
254.132	n	(P-17195)	307.3119	am	(P-17523/91; A-7377)
254.133	n	(P-17195)	307.3120	am	(P-17523/91; A-7377)
254.134	n	(P-17195)	307.3124	am	(P-17523/91; A-7377)
254.135	n	(P-17195)	307.3129	am	(P-17523/91; A-7377)
254.136	n	(P-17195)	309.103	am	(P-17471/91; A-7359)
254.201	n	(P-17195)	310.103	am	(P-17481/91; A-7346)
254.202	n	(P-17195)	310.105	am	(P-17481/91; A-7346)
254.203	n	(P-17195)	310.107	am	(P-17481/91; A-7346)
254.204	n	(P-17195)	310.110	am	(P-17481/91; A-7346)
254.301	n	(P-17195)	310.201	am	(P-17481/91; A-7346)
254.302	n	(P-17195)	310.202	am	(P-17481/91; A-7346)
254.303	n	(P-17195)	310.210	am	(P-17481/91; A-7346)
254.304	n	(P-17195)	310.220	am	(P-17481/91; A-7346)

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TITLE 35 (CONT'D)		608.302		(P-16439)		n	
310.221	am	(P-17481/91; A-7346)		(P-16439)		n	
310.222	am	(P-17481/91; A-7346)		(P-16439)		n	
310.230	am	(P-17481/91; A-7346)		(P-16439)		n	
310.232	am	(P-17481/91; A-7346)		(P-16439)		n	
310.233	am	(P-17481/91; A-7346)		(P-16439)		n	
310.330	am	(P-17481/91; A-7346)		(P-16439)		n	
310.510	am	(P-17481/91; A-7346)		(P-16439)		n	
310.611	am	(P-17481/91; A-7346)		(P-16439)		n	
310.613	am	(P-17481/91; A-7346)		(P-16439)		n	
310.633	am	(P-17481/91; A-7346)		(P-16439)		n	
310.635	am	(P-17481/91; A-7346)		(P-16439)		n	
320.101	n	(P-12746)		(P-16439)		n	
320.102	n	(P-12746)		(P-5582; A-19010)		am	
320.103	n	(P-12746)		(P-5582; A-19010)		am	
320.104	n	(P-12746)		(P-5582; A-19010)		am	
320.105	n	(P-12746)		(P-5582; A-19010)		am	
320.201	n	(P-12746)		(P-5582; A-19010)		am	
320.202	n	(P-12746)		(P-5582; A-19010)		am	
320.203	n	(P-12746)		(P-5582; A-19010)		am	
320.204	n	(P-12746)		(P-5582; A-19010)		am	
320.301	n	(P-12746)		(P-5582; A-19010)		am	
320.302	n	(P-12746)		(P-5582; A-19010)		am	
360.601	am	(P-15202/91; A-5891)		(P-5582; A-19010)		am	
360.602	am	(P-15202/91; A-5891)		(P-5582; A-19010)		am	
365.103	am	(P-3745; A-15073)		(P-5582; A-19010)		n	
365.104	am	(P-3745; A-15073)		(P-5582; A-19010)		n	
365.203	am	(P-3745; A-15073)		(P-5582; A-19010)		am	
365.304	am	(P-3745; A-15073)		(P-5582; A-19010)		n	
365.401	am	(P-3745; A-15073)		(P-5582; A-19010)		am	
365.402	am	(P-3745; A-15073)		(P-5582; A-19010)		am	
365.403	am	(P-3745; A-15073)		(P-5582; A-19010)		n	
365.404	am	(P-3745; A-15073)		(P-5582; A-19010)		am	
365.405	am	(P-3745; A-15073)		(P-5582; A-19010)		am	
365.503	am	(P-3745; A-15073)		(P-5582; A-19010)		am	
365.602	am	(P-3745; A-15073)		(P-5582; A-19010)		am	
365.603	am	(P-3745; A-15073)		(P-5582; A-19010)		#	
365.604	am	(P-3745; A-15073)		(P-5582; A-19010)		am	
365.803	n	(P-3745; A-15073)		(P-5582; A-19010)		#	
365.903	am	(P-3745; A-15073)		(P-5582; A-19010)		am	
365.1101	am	(P-3745; A-15073)		(P-5582; A-19010)		n	
601.105	am	(P-9829/91; O-17792/91)		(P-5582; A-19010)		#	
		(P-1713; A-1585)		(P-5582; A-19010)		n	
607.104	r	(P-16480)		(P-5582; A-19010)		#	
608.101	n	(P-16439)		(P-5582; A-19010)		n	
608.102	n	(P-16439)		(P-5582; A-19010)		n	
608.103	n	(P-16439)		(P-5582; A-19010)		n	
608.201	n	(P-16439)		(P-5582; A-19010)		n	
608.202	n	(P-16439)		(P-5582; A-19010)		n	
608.301	n	(P-16439)		(P-5582; A-19010)		n	

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611.606	r	(P-5582; A-19010)		(P-5582; A-19010)		n	(P-10303/91; O-17791/91; R-1702; A-1538)
611.607	n	(P-5582; A-19010)		(P-5582; A-19010)		n	(P-10303/91; O-17791/91; R-1702; A-1538)
611.607	n	(P-5582; A-19010)		(P-5582; A-19010)		n	(P-10303/91; O-17791/91; R-1702; A-1538)
611.608	n	(P-5582; A-19010)		(P-5582; A-19010)		n	(P-10303/91; O-17791/91; R-1702; A-1538)
611.609	n	(P-5582; A-19010)		(P-5582; A-19010)		n	(P-10303/91; O-17791/91; R-1702; A-1538)
611.610	#	(P-5582; A-19010)		(P-5582; A-19010)		n	(P-10303/91; O-17791/91; R-1702; A-1538)
611.611	n	(P-5582; A-19010)		(P-5582; A-19010)		n	(P-10303/91; O-17791/91; R-1702; A-1538)
611.612	#	(P-5582; A-19010)		(P-5582; A-19010)		n	(P-10303/91; O-17791/91; R-1702; A-1538)
611.612	am	(P-5582; A-19010)		(P-5582; A-19010)		n	(P-10303/91; O-17791/91; R-1702; A-1538)
611.630	#	(P-5582; A-19010)		(P-5582; A-19010)		n	(P-10303/91; O-17791/91; R-1702; A-1538)
611.630	am	(P-5582; A-19010)		(P-5582; A-19010)		n	(P-10303/91; O-17791/91; R-1702; A-1538)
611.631	n	(P-5582; A-19010)		(P-5582; A-19010)		n	(P-10303/91; O-17791/91; R-1702; A-1538)
611.640	n	(P-5582; A-19010)		(P-5582; A-19010)		n	(P-10303/91; O-17791/91; R-1702; A-1538)
611.641	am	(P-5582; A-19010)		(P-5582; A-19010)		n	(P-10303/91; O-17791/91; R-1702; A-1538)
611.645	am	(P-5582; A-19010)		(P-5582; A-19010)		n	(P-10303/91; O-17791/91; R-1702; A-1538)
611.646	n	(P-5582; A-19010)		(P-5582; A-19010)		n	(P-10303/91; O-17791/91; R-1702; A-1538)
611.647	#	(P-5582; A-19010)		(P-5582; A-19010)		n	(P-10303/91; O-17791/91; R-1702; A-1538)
611.647	am	(P-5582; A-19010)		(P-5582; A-19010)		n	(P-10303/91; O-17791/91; R-1702; A-1538)
611.648	#	(P-5582; A-19010)		(P-5582; A-19010)		n	(P-10303/91; O-17791/91; R-1702; A-1538)
611.650	n	(P-5582; A-19010)		(P-5582; A-19010)		n	(P-10303/91; O-17791/91; R-1702; A-1538)
611.657	r	(P-5582; A-19010)		(P-5582; A-19010)		n	(P-10303/91; O-17791/91; R-1702; A-1538)
611.658	n	(P-5582; A-19010)		(P-5582; A-19010)		n	(P-10303/91; O-17791/91; R-1702; A-1538)
611.851	am	(P-5582; A-19010)		(P-5582; A-19010)		n	(P-10303/91; O-17791/91; R-1702; A-1538)
611.852	am	(P-5582; A-19010)		(P-5582; A-19010)		n	(P-10303/91; O-17791/91; R-1702; A-1538)
611.855	am	(P-5582; A-19010)		(P-5582; A-19010)		n	(P-10303/91; O-17791/91; R-1702; A-1538)
611.Ap.A	am	(P-5582; A-19010)		(P-5582; A-19010)		n	(P-10303/91; O-17791/91; R-1702; A-1538)
611.Ap.D	n	(P-5582; A-19010)		(P-5582; A-19010)		n	(P-10303/91; O-17791/91; R-1702; A-1538)
611.Tb.B	am	(P-5582; A-19010)		(P-5582; A-19010)		n	(P-10303/91; O-17791/91; R-1702; A-1538)
611.Tb.C	am	(P-5582; A-19010)		(P-5582; A-19010)		n	(P-10303/91; O-17791/91; R-1702; A-1538)
611.Tb.D	n	(P-5582; A-19010)		(P-5582; A-19010)		n	(P-10303/91; O-17791/91; R-1702; A-1538)
615.101	n	(P-10303/91; O-17791/91; R-1702; A-1538)		(P-10303/91; O-17791/91; R-1702; A-1538)		n	(P-10303/91; O-17791/91; R-1702; A-1538)
615.102	n	(P-10303/91; O-17791/91; R-1702; A-1538)		(P-10303/91; O-17791/91; R-1702; A-1538)		n	(P-10303/91; O-17791/91; R-1702; A-1538)
615.103	n	(P-10303/91; O-17791/91; R-1702; A-1538)		(P-10303/91; O-17791/91; R-1702; A-1538)		n	(P-10303/91; O-17791/91; R-1702; A-1538)
615.104	n	(P-10303/91; O-17791/91; R-1702; A-1538)		(P-10303/91; O-17791/91; R-1702; A-1538)		n	(P-10303/91; O-17791/91; R-1702; A-1538)
615.105	n	(P-10303/91; O-17791/91; R-1702; A-1538)		(P-10303/91; O-17791/91; R-1702; A-1538)		n	(P-10303/91; O-17791/91; R-1702; A-1538)
615.306	n	(P-16465)		(P-16465)		n	(P-16465)

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615.307	n	(P-10303/91; O-17791/91; R-1702; A-1538)	615.461	n	(P-10303/91; O-17791/91; R-1702; A-1538)
615.401	n	(P-10303/91; O-17791/91; R-1702; A-1538)	615.462	n	(P-10303/91; O-17791/91; R-1702; A-1538)
615.402	n	(P-10303/91; O-17791/91; R-1702; A-1538)	615.463	n	(P-10303/91; O-17791/91; R-1702; A-1538)
615.403	n	(P-10303/91; O-17791/91; R-1702; A-1538)	615.464	n	(P-10303/91; O-17791/91; R-1702; A-1538)
615.404	n	(P-10303/91; O-17791/91; R-1702; A-1538)	615.501	n	(P-10303/91; O-17791/91; R-1702; A-1538)
615.421	n	(P-10303/91; O-17791/91; R-1702; A-1538)	615.502	n	(P-10303/91; O-17791/91; R-1702; A-1538)
615.422	n	(P-10303/91; O-17791/91; R-1702; A-1538)	615.601	n	(P-10303/91; O-17791/91; R-1702; A-1538)
615.423	n	(P-10303/91; O-17791/91; R-1702; A-1538)	615.602	n	(P-10303/91; O-17791/91; R-1702; A-1538)
615.424	n	(P-10303/91; O-17791/91; R-1702; A-1538)	615.603	n	(P-10303/91; O-17791/91; R-1702; A-1538)
615.425	n	(P-10303/91; O-17791/91; R-1702; A-1538)	615.604	n	(P-10303/91; O-17791/91; R-1702; A-1538)
615.441	n	(P-10303/91; O-17791/91; R-1702; A-1538)	615.621	n	(P-10303/91; O-17791/91; R-1702; A-1538)
615.442	n	(P-10303/91; O-17791/91; R-1702; A-1538)	615.622	n	(P-10303/91; O-17791/91; R-1702; A-1538)
615.443	n	(P-10303/91; O-17791/91; R-1702; A-1538)	615.623	n	(P-10303/91; O-17791/91; R-1702; A-1538)
615.444	n	(P-10303/91; O-17791/91; R-1702; A-1538)	615.624	n	(P-10303/91; O-17791/91; R-1702; A-1538)
615.445	n	(P-10303/91; O-17791/91; R-1702; A-1538)	615.701	n	(P-10303/91; O-17791/91; R-1702; A-1538)
615.446	n	(P-10303/91; O-17791/91; R-1702; A-1538)	615.702	n	(P-10303/91; O-17791/91; R-1702; A-1538)
615.447	n	(P-10303/91; O-17791/91; R-1702; A-1538)	615.703	n	(P-10303/91; O-17791/91; R-1702; A-1538)

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615.704	n	(P-10303/91; O-17791/91; R-1702; A-1538)	616.207	n	(P-9836/91; O-17793/91; R-1723; A-1592)
615.705	n	(P-10303/91; O-17791/91; R-1702; A-1538)	616.208	n	(P-9836/91; O-17793/91; R-1723; A-1592)
615.721	n	(P-10303/91; O-17791/91; R-1702; A-1538)	616.209	n	(P-9836/91; O-17793/91; R-1723; A-1592)
615.722	n	(P-10303/91; O-17791/91; R-1702; A-1538)	616.210	n	(P-9836/91; O-17793/91; R-1723; A-1592)
615.723	n	(P-10303/91; O-17791/91; R-1702; A-1538)	616.211	n	(P-9836/91; O-17793/91; R-1723; A-1592)
615.724	n	(P-10303/91; O-17791/91; R-1702; A-1538)	616.301	n	(P-9836/91; O-17793/91; R-1723; A-1592)
616.101	n	(P-9836/91; O-17793/91; R-1723; A-1592)	616.302	n	(P-9836/91; O-17793/91; R-1723; A-1592)
616.102	n	(P-9836/91; O-17793/91; R-1723; A-1592)	616.303	n	(P-9836/91; O-17793/91; R-1723; A-1592)
616.104	n	(P-9836/91; O-17793/91; R-1723; A-1592)	616.304	n	(P-9836/91; O-17793/91; R-1723; A-1592)
616.105	n	(P-9836/91; O-17793/91; R-1723; A-1592)	616.305	n	(P-9836/91; O-17793/91; R-1723; A-1592)
616.201	n	(P-9836/91; O-17793/91; R-1723; A-1592)	616.306	n	(P-9836/91; O-17793/91; R-1723; A-1592)
616.202	n	(P-9836/91; O-17793/91; R-1723; A-1592)	616.307	n	(P-9836/91; O-17793/91; R-1723; A-1592)
616.203	n	(P-9836/91; O-17793/91; R-1723; A-1592)	616.401	n	(P-9836/91; O-17793/91; R-1723; A-1592)
616.204	n	(P-9836/91; O-17793/91; R-1723; A-1592)	616.402	n	(P-9836/91; O-17793/91; R-1723; A-1592)
616.205	n	(P-9836/91; O-17793/91; R-1723; A-1592)	616.421	n	(P-9836/91; O-17793/91; R-1723; A-1592)
616.206	n	(P-9836/91; O-17793/91; R-1723; A-1592)	616.422	n	(P-9836/91; O-17793/91; R-1723; A-1592)
			616.423	n	(P-9836/91; O-17793/91; R-1723; A-1592)

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616.424	n		
616.425	n		
616.441	n		
616.442	n		
616.443	n		
616.444	n		
616.445	n		
616.446	n		
616.447	n		
616.462	n		
616.463	n		
616.464	n		
616.501	n		
616.502	n		
616.601	n		
616.602	n		

TITLE 35 (CONT'D)	616.725	n	(P-9836/91; O-17793/91; R-1723; A-1592)
617.101	n		
617.102	n		
620.450	am		
702.181	am		
703.150	am		
703.155	am		
703.157	am		
703.203	am		
703.204	am		
703.207	am		
703.208	n		
703.211	am		
703.232	n		
703.280	am		
703.283	am		
703.Ap.A	am		
720.110	am		
720.111	am		
721.102	am		
721.103	am		
721.104	am		
721.106	am		
721.111	am		
721.120	am		
721.122	am		
721.131	am		
721.132	am		
721.Ap.1	am		
721.Tb.A	am		
721.Tb.B	am		
721.Tb.D	n		
722.110	am		
722.134	am		

TITLE 35 (CONT'D)	722.153	am	(P-9358; A-17696)
722.156	am		
724.113	am		
724.115	am		
724.119	n		
724.173	am		
724.212	am		
724.247	am		
724.321	am		
724.322	n		
724.323	n		
724.326	am		
724.328	am		
724.351	am		
724.352	n		
724.353	n		
724.354	am		
724.401	am		
724.402	n		
724.403	am		
724.404	n		
724.410	am		
724.440	am		
724.673	am		
724.930	am		
724.935	am		
725.113	am		
725.115	am		
724.119	n		
725.173	am		
725.191	am		
725.212	am		
725.213	am		
725.247	am		
725.321	am		
725.322	am		
725.323	am		
725.324	n		
725.326	am		
725.328	am		
725.354	am		
725.355	n		
725.359	n		
725.360	n		
725.401	am		
725.402	am		
725.403	n		
725.404	am		
725.410	am		

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725.440 am	(P-875; A-9578)	728.140 am (P-916; A-9619)
725.470 am	(P-875; A-9578)	728.141 am (P-916; A-9619)
725.543 am	(P-16831)	
725.935 am	(P-875; A-9578)	728.142 am (P-916; A-9619)
725.952 am	(P-875; A-9578)	728.144 am (P-916; A-9619)
726.130 r	(P-1148; A-9858)	728.Ap.D am (P-916; A-9619)
726.131 r	(P-1148; A-9858)	728.Ap.E am (P-916; A-9619)
726.132 r	(P-1148; A-9858)	728.Ap.G am (P-916; A-9619)
726.133 r	(P-1148; A-9858)	728.Ap.H am (P-916; A-9619)
726.134 r	(P-1148; A-9858)	728.Ap.I n (P-916; A-9619)
726.135 r	(P-1148; A-9858)	728.Tb.A am (P-916; A-9619)
726.140 am	(P-1148; A-9858)	728.Tb.B am (P-916; A-9619)
726.200 n	(P-17028)	728.Tb.C am (P-916; A-9619)
		728.Tb.D am (P-16878)
726.201 n	(P-1148; A-9858)	728.Tb.E am (P-916; A-9619)
726.202 n	(P-1148; A-9858)	728.Tb.H n (P-916; A-9619)
726.203 n	(P-1148; A-9858)	731.110 am (P-2330; A-7407)
726.204 n	(P-1148; A-9858)	731.111 r (P-2330; A-7407)
726.205 n	(P-1148; A-9858)	731.112 am (P-2330; A-7407)
726.206 n	(P-1148; A-9858)	731.113 am (P-2330; A-7407)
726.207 n	(P-1148; A-9858)	731.114 r (P-2330; A-7407)
726.208 n	(P-1148; A-9858)	731.120 r (P-2330; A-7407)
726.209 n	(P-1148; A-9858)	731.121 r (P-2330; A-7407)
726.210 n	(P-1148; A-9858)	731.122 am (P-2330; A-7407)
726.211 n	(P-1148; A-9858)	731.130 am (P-2330; A-7407)
726.212 n	(P-1148; A-9858)	731.131 r (P-2330; A-7407)
726.219 n	(P-1148; A-9858)	731.132 r (P-2330; A-7407)
726.Ap.A n	(P-1148; A-9858)	731.133 r (P-2330; A-7407)
726.Ap.B n	(P-1148; A-9858)	731.134 r (P-2330; A-7407)
726.Ap.C n	(P-1148; A-9858)	731.140 r (P-2330; A-7407)
726.Ap.D n	(P-1148; A-9858)	731.141 r (P-2330; A-7407)
726.Ap.E n	(P-1148; A-9858)	731.142 r (P-2330; A-7407)
726.Ap.F n	(P-1148; A-9858)	731.143 r (P-2330; A-7407)
726.Ap.G n	(P-1148; A-9858)	731.144 r (P-2330; A-7407)
726.Ap.H n	(P-1148; A-9858)	731.145 r (P-2330; A-7407)
726.Ap.I n	(P-1148; A-9858)	731.150 r (P-2330; A-7407)
726.Ap.J n	(P-1148; A-9858)	731.151 r (P-2330; A-7407)
726.Ap.K n	(P-1148; A-9858)	731.152 r (P-2330; A-7407)
726.Ap.L n	(P-1148; A-9858)	731.153 r (P-2330; A-7407)
726.Tb.A n	(P-1148; A-9858)	731.161 am (P-2330; A-7407)
728.103 am	(P-16878)	731.162 am (P-2330; A-7407)
728.107 am	(P-916; A-9619)	731.170 r (P-2330; A-7407)
728.109 am	(P-916; A-9619)	731.171 r (P-2330; A-7407)
728.110 n	(P-916; A-9619)	731.172 r (P-2330; A-7407)
728.111 n	(P-916; A-9619)	731.173 r (P-2330; A-7407)
728.112 n	(P-916; A-9619)	731.174 r (P-2330; A-7407)
728.113 n	(P-916; A-9619)	731.190 r (P-2330; A-7407)
728.133 am	(P-916; A-9619)	731.191 r (P-2330; A-7407)
728.135 am	(P-916; A-9619)	731.192 r (P-2330; A-7407)
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880.106	r	450.160	n
	(P-17861)	450.165	n
880.200	r	450.175	am
	(P-6127; A-13505)	450.210	am
880.201	r	450.220	am
	(P-17861)	450.250	am
880.202	r	450.255	n
	(P-6127; A-13505)	450.260	am
880.203	r	450.290	am
	(P-17861)	450.410	am
880.300	r	450.425	n
	(P-6127; A-13505)	450.440	am
880.301	r	450.940	am
	(P-17861)	450.1010	am
1420.101	n	450.1020	am
	(P-17016/91; A-2594)	450.1250	am
1420.102	n	450.1335	am
	(P-17016/91; A-2594)	450.1340	am
1450.101	n	1075.120	am
	(P-17874)		
1450.102	n		
	(P-17874)		
1450.103	n		
	(P-17874)		
1450.104	n		
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	(P-17874)		
1450.106	n		
	(P-17874)		
1450.200	n		
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1450.201	n		
	(P-17874)		
1450.202	n		
	(P-17874)		
1450.203	n		
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1450.300	n		
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1450.301	n		
	(P-17874)		

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180.22	n	180.24	n
180.24	n	180.30	am
180.30	am	180.92	n
180.92	n	180.94	n
180.94	n	180.100	am
180.100	am	190.40	am
190.40	am		
200.100	n	200.110	n
200.110	n	200.155	n
200.155	n	200.160	n
200.160	n	200.165	n
200.165	n	200.200	n
200.200	n	200.205	n
200.205	n	200.210	n

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880.106	r	450.160	n
	(P-17861)	450.165	n
880.200	r	450.175	am
	(P-6127; A-13505)	450.210	am
880.201	r	450.220	am
	(P-17861)	450.250	am
880.202	r	450.255	n
	(P-6127; A-13505)	450.260	am
880.203	r	450.290	am
	(P-17861)	450.410	am
880.300	r	450.425	n
	(P-6127; A-13505)	450.440	am
880.301	r	450.940	am
	(P-17861)	450.1010	am
1420.101	n	450.1020	am
	(P-17016/91; A-2594)	450.1250	am
1420.102	n	450.1335	am
	(P-17016/91; A-2594)	450.1340	am
1450.101	n	1075.120	am
	(P-17874)		
1450.102	n		
	(P-17874)		
1450.103	n		
	(P-17874)		
1450.104	n		
	(P-17874)		
1450.105	n		
	(P-17874)		
1450.106	n		
	(P-17874)		
1450.200	n		
	(P-17874)		
1450.201	n		
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1450.202	n		
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1450.203	n		
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1450.300	n		
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215.20 n	(P-1954)	950.220 r (P-3695; A-12424)
215.30 n	(P-1954)	950.230 r (P-3695; A-12424)
215.40 n	(P-1954)	950.240 r (P-3695; A-12424)
215.50 n	(P-1954)	950.250 r (P-3695; A-12424)
215.60 n	(P-1954)	950.260 r (P-3695; A-12424)
215.70 n	(P-1954)	950.270 r (P-3695; A-12424)
215.70 n	(P-1954)	950.280 r (P-3695; A-12424)
270.10 n	(P-14845/91; A-6842)	950.290 r (P-3695; A-12424)
270.20 n	(P-14845/91; A-6842)	950.300 r (P-3695; A-12424)
270.30 n	(P-14845/91; A-6842)	950.900 n (P-11378)
270.40 n	(P-14845/91; A-6842)	5000.910 n (P-11378)
270.50 n	(P-14845/91; A-6842)	5000.920 n (P-11378)
270.60 n	(P-14845/91; A-6842)	5000.930 n (P-11378)
270.70 n	(P-14845/91; A-6842)	5000.940 n (P-11378)
270.80 n	(P-14845/91; A-6842)	5000.950 n (P-11378)
280.10 n	(P-15665)	5000.960 n (P-11378)
280.20 n	(P-15665)	5000.970 n (P-11378)
280.30 n	(P-15665)	5010.240 am (P-10127; A-17595)
280.40 n	(P-15665)	5010.710 am (P-10127; A-17595)
280.50 n	(P-15665)	5010.780 am (P-10127; A-17595)
280.60 n	(P-15665)	5010.1160 am (P-10127; A-17595)
280.65 n	(P-15665)	5010.1300 am (P-10127; A-17595)
280.70 n	(P-15665)	5010.1410 n (P-10127; A-17595)
280.75 n	(P-15665)	5030.130 am (P-18013/91; A-4826)
280.80 n	(P-15665)	
300.10 n	(P-10560)	
300.15 n	(P-10560)	
300.20 n	(P-10560)	
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		100.20 am (P-14337/91; A-3940)
		100.30 am (P-16707) (E-17136)
		100.40 am (P-14337/91; A-3940)
		100.50 am (P-14337/91; A-3940)
		100.85 am (P-14337/91; A-3940)
		100.103 am (P-14337/91; A-3940)
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1.350 am	(P-12808) (E-13118)	
1.515 n	(P-12808) (E-13118)	100.106 r (P-14337/91; A-3940)
1.530 am	(P-12808) (E-13118)	100.111 am (P-14337/91; A-3940)
1.610 am	(P-12808) (E-13118)	100.113 r (P-14337/91; A-3940)
1.620 am	(P-12808) (E-13118)	100.115 am (P-14337/91; A-3940)
1.630 am	(P-12808) (E-13118)	100.120 am (P-14337/91; A-3940)
950.110 r	(P-3695; A-12424)	100.Ap.A am (P-14337/91; A-3940)
950.120 r	(P-3695; A-12424)	..II.A n (P-14337/91; A-3940)
950.130 r	(P-3695; A-12424)	..II.B n (P-14337/91; A-3940)
950.140 r	(P-3695; A-12424)	..II.C n (P-14337/91; A-3940)
950.150 r	(P-3695; A-12424)	
950.160 r	(P-3695; A-12424)	
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			310.101	am	(P-1961; A-10248)		
.II.E	n	(P-14337/91; A-3940) (P-16707) (E-17136)	310.102	am	(P-1961; A-10248)		
			310.103	am	(P-1961; A-10248)		
.II.F	n	(P-14337/91; A-3940) (P-16707) (E-17136)	310.106	am	(P-1961; A-10248)		
			310.107	am	(P-1961; A-10248)		
100.Ap.D	am	(P-14337/91; A-3940) (P-16707) (E-17136)	310.109	am	(P-1961; A-10248)		
100.Ap.E	r	(P-14337/91; A-3940)	310.110	am	(P-1961; A-10248)		
100.Ap.F	r	(P-14337/91; A-3940) (P-7141)	310.111	am	(P-1961; A-10248)		
	n		310.113	am	(P-1961; A-10248)		
110.210	n	(P-7141)	310.114	am	(P-1961; A-10248)		
110.220	n	(P-7141)	310.201	am	(P-1961; A-10248)		
110.230	n	(P-7141)	310.202	am	(P-1961; A-10248)		
110.240	n	(P-7141)	310.203	am	(P-1961; A-10248)		
110.250	n	(P-7141)	310.204	am	(P-1961; A-10248)		
110.260	n	(P-7141)	310.205	am	(P-1961; A-10248)		
110.270	n	(P-7141)	310.206	am	(P-1961; A-10248)		
110.280	n	(P-7141)	310.301	am	(P-1961; A-10248)		
110.290	n	(P-7141)	310.302	am	(P-1961; A-10248)		
110.300	n	(P-7141)	310.303	am	(P-1961; A-10248)		
110.310	n	(P-7141)	310.304	am	(P-1961; A-10248)		
110.320	n	(P-7141)	310.305	am	(P-1961; A-10248)		
110.330	n	(P-7141)	310.306	am	(P-1961; A-10248)		
110.340	n	(P-7141)	310.307	am	(P-1961; A-10248)		
110.350	n	(P-7141)	310.309	am	(P-1961; A-10248)		
110.360	n	(P-7141)	310.401	am	(P-1961; A-10248)		
120.30	am	(P-13993/91; A-3078)	310.402	am	(P-1961; A-10248)		
120.55	am	(P-13993/91; A-3078)	310.403	am	(P-1961; A-10248)		
120.80	am	(P-13993/91; A-3078)	310.404	am	(P-1961; A-10248)		
120.90	am	(P-13993/91; A-3078)	310.405	am	(P-1961; A-10248)		
120.110	am	(P-13993/91; A-3078)	310.602	am	(P-1961; A-10248)		
120.115	am	(P-13993/91; A-3078)	310.603	am	(P-1961; A-10248)		
125.10	n	(P-18879)	310.604	am	(P-1961; A-10248)		
125.20	n	(P-18879)	310.701	am	(P-1961; A-10248)		
125.30	n	(P-18879)	310.702	am	(P-1961; A-10248)		
125.40	n	(P-18879)	310.703	am	(P-1961; A-10248)		
125.50	n	(P-18879)	310.801	am	(P-1961; A-10248)		
125.60	n	(P-18879)	310.802	am	(P-1961; A-10248)		
125.70	n	(P-18879)	310.803	am	(P-1961; A-10248)		
125.80	n	(P-18879)	310.804	am	(P-1961; A-10248)		
125.90	n	(P-18879)	310.805	am	(P-1961; A-10248)		
125.100	n	(P-18879)	310.806	am	(P-1961; A-10248)		
125.110	n	(P-18879)	310.901	am	(P-1961; A-10248)		
125.120	n	(P-18879)	310.902	am	(P-1961; A-10248)		
125.130	n	(P-18879)	310.913	am	(P-1961; A-10248)		
125.140	n	(P-18879)	350.213	n	(P-5185; A-11831) (E-5369; O-8254;		
140.10	r	(P-13241/91; A-2120)			M-9137) (C-12794)		
140.20	r	(P-13241/91; A-2120)	370.101	n	(P-11713) (E-11884)		
140.30	r	(P-13241/91; A-2120)	370.102	n	(P-11713) (E-11884)		
140.40	r	(P-13241/91; A-2120)	370.103	n	(P-11713) (E-11884)		
140.50	r	(P-13241/91; A-2120)					

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2008.50	am	(P-14859/91; PF-1743; W-2956; A-2766; C-3590)	2008.100	am	(P-8768; A-15452) (P-14859/91; PF-1743; W-2956; A-2766; C-3590)
2008.60	am	(P-14859/91; PF-1743; W-2956; A-2766; C-3590)	2008.101	am	(P-14859/91; PF-1743; W-2956; A-2766; C-3590)
2008.61	r	(P-14859/91; PF-1743; W-2956; A-2766)	2008.102	am	(P-14859/91; PF-1743; W-2956; A-2766; C-3590)
2008.70	am	(P-14859/91; PF-1743; W-2956; A-2766; C-3590)	2008.103	am	(P-8768; A-15452) (P-14859/91; PF-1743; W-2956; A-2766; C-3590)
2008.71	#	(P-8768; A-15452) (P-14859/91; PF-1743; W-2956; A-2766; C-3590)	2008.104	am	(P-14859/91; PF-1743; W-2956; A-2766; C-3590)
2008.71	n	(P-14859/91; PF-1743; W-2956; A-2766; C-3590)	2008.110	am	(P-14859/91; PF-1743; W-2956; A-2766; C-3590)
2008.71	am	(P-8768; A-15452)	2008.Ap.A	am	(P-14859/91; PF-1743; W-2956; A-2766; C-3590)
2008.72	n	(P-14859/91; PF-1743; W-2956; A-2766; C-3590)	2008.Ap.B	am	(P-14859/91; PF-1743; W-2956; A-2766; C-3590)
2008.72	am	(P-8768; A-15452)	2008.Ap.C	#	(P-14859/91; PF-1743; W-2956; A-2766; C-3590)
2008.73	n	(P-14859/91; PF-1743; W-2956; A-2766; C-3590)	2008.Ap.C	n	(P-14859/91; PF-1743; W-2956; A-2766; C-3590)
2008.73	am	(P-8768; A-15452)	2008.Ap.C	am	(P-8768; A-15452) (E-19226) (P-18917)
2008.74	n	(P-14859/91; PF-1743; W-2956; A-2766; C-3590)	2008.Ap.D	r	(P-14859/91; PF-1743; W-2956; A-2766; C-3590)
2008.75	#	(P-14859/91; PF-1743; W-2956; A-2766; C-3590)	2008.Ap.D	n	(P-14859/91; PF-1743; W-2956; A-2766; C-3590)
2008.75	am	(P-14859/91; PF-1743; W-2956; A-2766; C-3590)	2008.Ap.D	am	(P-8768; A-15452) (P-14859/91; PF-1743; W-2956; A-2766; C-3590)
2008.80	am	(P-14859/91; PF-1743; W-2956; A-2766; C-3590)	2008.Ap.E	#	(P-8768; A-15452) (P-14859/91; PF-1743; W-2956; A-2766; C-3590)
2008.81	r	(P-14859/91; PF-1743; W-2956; A-2766)	2008.Ap.E	n	(P-14859/91; PF-1743; W-2956; A-2766; C-3590)
2008.81	n	(P-14859/91; PF-1743; W-2956; A-2766)	2008.Ap.E	am	(P-8768; A-15452) (P-14859/91; PF-1743; W-2956; A-2766; C-3590)
2008.81	am	(P-8768; A-15452)	2008.Ap.E	am	(P-14859/91; PF-1743; W-2956; A-2766; C-3590)
2008.82	am	(P-14859/91; PF-1743; W-2956; A-2766)	2008.Ap.E	am	(P-8768; A-15452) (P-14859/91; PF-1743; W-2956; A-2766; C-3590)

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	2013.40	am	(P-10375)
2008. Ap.F am	2013.50	am	(P-10375)
2008. Ap.G n	2013.60	am	(P-10375)
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	2013.80	am	(P-10375)
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123.80 n	121.530	n	(P-15715)
123.85 n	121.535	n	(P-15715)
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124.65 n	121.615	n	(P-15715)
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124.85 n	121.635	n	(P-15715)
124.90 n	121.640	n	(P-15715)
124.95 n	121.645	n	(P-15715)
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126.85 n	121.835	n	(P-15715)
126.90 n	121.840	n	(P-15715)
126.95 n	121.845	n	(P-15715)
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130.75 n	122.225	n	(P-15715)
130.80 n	122.230	n	(P-15715)
130.85 n	122.235	n	(P-15715)
130.90 n	122.240	n	(P-15715)
130.95 n	122.245	n	(P-15715)
131.00 n	122.250	n	(P-15715)
131.05 n	122.255	n	(P-15715)
131.10 n	122.260	n	(P-15715)
131.15 n	122.265	n	(P-15715)
131.20 n	122.270	n	(P-15715)
131.25 n	122.275	n	(P-15715)
131.30 n	122.280	n	(P-15715)
131.35 n	122.285	n	(P-15715)
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131.65 n	122.315	n	(P-15715)
131.70 n	122.320	n	(P-15715)
131.75 n	122.325	n	(P-15715)
131.80 n	122.330	n	(P-15715)
131.85 n	122.335	n	(P-15715)
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131.95 n	122.345	n	(

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400.80	n	(P-11996)	240.1180	r	(P-3282; A-15513; EC-18859)
400.90	n	(P-11996)			(RQ-117378)
400.100	n	(P-11996)	240.1400	r	(P-14365/91; P-14679/91; A-2576)
400.110	n	(P-11996)			(P-14365/91; P-14679/91; A-2576)
400.120	n	(P-11996)	240.1400	n	(P-14365/91; P-14679/91; A-2576)

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200.402	am	(P-3267; A-11449)			
200.500	am	(P-3267; A-11449)			
200.600	am	(P-3267; A-11449)	240.1410	r	(P-14365/91; P-14679/91; A-2576)
200.603	am	(P-3267; A-11449)			
200.604	am	(P-3267; A-11449)			
200.806	am	(P-3267; A-11449)	240.1410	n	(P-14365/91; P-14679/91; A-2576)
200.Ap.B	n	(P-3267; A-11449)			
220.190	am	(P-3316; A-11463)	240.1420	r	(P-14365/91; P-14679/91; A-2576)
240.10	am	(P-3282; A-15513)			
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240.132	n	(P-13722)	240.1420	n	(P-14365/91; P-14679/91; A-2576)
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240.160	am	(P-13722)			
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240.530	n	(P-3282; A-15513)			
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240.710	am	(P-3282; A-15513)			
240.760	am	(P-3282; A-15513)			
240.780	am	(P-3282; A-15513)	240.1460	r	(P-14365/91; P-14679/91; A-2576)
240.995	r	(P-14365/91; P-14679/91; A-2576)			
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1275.80	n	(P-5741; A-10458)	1455.15	n	(P-15785) (E-16196)
1300.48	am	(P-16484)	1455.20	n	(P-15785) (E-16196)
1310.20	am	(P-3784; A-12565)	1455.30	n	(P-15785) (E-16196)
1310.30	am	(P-3784; A-12565)	1455.40	n	(P-15785) (E-16196)
1310.40	am	(P-3784; A-12565)	1455.50	n	(P-15785) (E-16196)
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			(E-17781)			
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			(P-15943/91; A-5941; C-7512) (P-8329; A-16019)	790.1960	am	(P-17496) (E-17781)
			(E-17781)	790.1980	am	(P-4782; A-12913)
			(E-4899)			(E-4899)
			(E-8571) (P-17496)	790.2020	am	(P-4782; A-12913)
			(E-17781)			(E-4899)
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790.1418	am		(P-17496) (E-17781)			(E-8571)
790.1420	am		(P-4782; A-12913)	790.2086	n	(P-17496) (E-17781)
			(E-4899)	790.2097	am	(P-4782; A-12913)
			(P-4782; A-12913)			(E-4899)
790.1460	am		(E-4899)	790.2100	am	(P-4782; A-12913)
			(P-4782; A-12913)			(E-4899)
790.1490	am		(P-4782; A-12913)	790.2140	am	(P-4782; A-12913)
			(E-4899)			(E-4899)
790.1500	am		(P-4782; A-12913)	790.2155	am	(P-4782; A-12913)
			(E-4899)			(E-4899)
790.1540	am		(P-4782; A-12913)	790.2180	am	(P-4782; A-12913)
			(E-4899)			(E-4899)
790.1560	am		(P-4782; A-12913)	790.2260	am	(P-4782; A-12913)
			(E-4899) (P-17496)			(E-4899)
			(E-17781)			(E-8571)
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790.1570	am		(P-4782; A-12913)			(E-4899)
			(E-4899)	790.2390	am	(P-4782; A-12913)
			(P-8329; A-16019)			(E-4899)
			(E-8571)	790.2462	am	(P-17496) (E-17781)
790.1577	am		(P-17496) (E-17781)	790.2465	am	(P-17496) (E-17781)
790.1660	am		(P-4782; A-12913)	790.2470	am	(P-4782; A-12913)
			(E-4899)			(E-4899)
790.1685	am		(P-4782; A-12913)	790.2485	am	(P-15943/91; A-5941; C-7512)
			(E-4899)			(P-4782; A-12913)
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			(E-4899)			(P-4782; A-12913)
790.1710	am		(P-4782; A-12913)	790.2510	am	(P-4782; A-12913)
			(E-4899)			(E-4899)
790.1740	am		(P-4782; A-12913)	790.2540	am	(P-4782; A-12913)
			(E-4899)			(E-4899)
790.1820	am		(P-4782; A-12913)	790.2580	am	(P-15943/91; A-5941; C-7512)
			(E-4899)			(P-4782; A-12913)
790.1830	n		(P-4782; A-12913)			(E-4899)
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			(E-4899) (P-17496)	790.3260	am	(P-4782; A-12913)
			(E-17781)			(E-4899)
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			(E-17781)			(E-4899)
			(E-4899) (P-17496)	790.3308	am	(P-4782; A-12913)
			(E-17781)			(E-4899) (P-17496)
			(P-4782; A-12913)			(E-17781)
790.2617	am		(E-4899)	790.3315	am	(P-4782; A-12913)
			(P-4782; A-12913)			(E-4899)
790.2618	am		(E-4899) (P-17496)	790.3335	am	(P-4782; A-12913)
			(E-17781)			(E-4899)
790.2620	am		(P-4782; A-12913)	790.3337	n	(P-17496) (E-17781)
			(E-4899)	790.3340	am	(P-4782; A-12913)
790.2661	am		(P-4782; A-12913)			(E-4899)
			(E-4899) (P-17496)	790.3420	am	(P-4782; A-12913)
			(E-17781)			(E-4899) (P-17496)
790.2662	am		(P-17496) (E-17781)			(E-17781)
790.2780	am		(P-4782; A-12913)	790.3437	am	(P-4782; A-12913)
			(E-4899)			(E-4899)
790.2805	am		(P-15943/91; A-5941; C-7512) (P-8329; A-16019)			(P-8329; A-16019)
			(E-8571)	790.3472	am	(P-4782; A-12913)
			(P-4782; A-12913)			(E-4899)
790.2900	am		(P-4782; A-12913)	790.3480	n	(P-4782; A-12913)
			(E-4899)			(E-4899)
790.2902	am		(P-4782; A-12913)	790.3492	am	(P-4782; A-12913)
			(E-4899)			(E-4899)
790.2904	am		(P-4782; A-12913)	790.3495	n	(P-4782; A-12913)
			(E-4899)			(E-4899)
790.2928	am		(P-17496) (E-17781)	790.3540	am	(P-4782; A-12913)
790.2932	am		(P-17496) (E-17781)			(E-4899)
790.2980	am		(P-4782; A-12913)	790.3620	am	(P-4782; A-12913)
			(E-4899)			(E-4899)
790.3020	am		(P-4782; A-12913)	790.3700	am	(P-4782; A-12913)
			(E-4899)			(E-4899)
790.3021	am		(P-4782; A-12913)	790.3720	am	(P-17496) (E-17781)
			(E-4899)	790.3742	am	(P-4782; A-12913)
790.3027	am		(P-15943/91; A-5941)			(E-4899)
			(P-17496) (E-17781)	790.3780	am	(P-4782; A-12913)
790.3029	am		(P-4782; A-12913)			(E-4899)
			(E-4899)	790.3860	am	(P-4782; A-12913)
			(P-4782; A-12913)			(E-4899)
790.3049	am		(P-4782; A-12913)	790.3875	n	(P-4782; A-12913)
			(E-4899)			(E-4899)
790.3054	am		(P-4782; A-12913)	790.3902	n	(P-17496) (E-17781)
			(E-4899)			(E-4899)

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790.3907	am	790.4396	am	(P-4782; A-12913) (E-4899)	(P-4782; A-12913) (E-4899)
		790.4398	am	(P-4782; A-12913) (E-4899)	(P-4782; A-12913) (E-4899)
790.3910	am	790.4420	am	(P-4782; A-12913) (E-4899)	(P-4782; A-12913) (E-4899)
		790.4580	am	(P-4782; A-12913) (E-4899)	(P-4782; A-12913) (E-4899)
790.3914	am	790.4620	am	(P-4782; A-12913) (E-4899)	(P-4782; A-12913) (E-4899)
790.3940	am	790.4660	am	(P-4782; A-12913) (E-4899)	(P-4782; A-12913) (E-4899)
790.3945	am			(P-4782; A-12913) (E-4899)	(P-4782; A-12913) (E-4899)
		790.4670	am	(P-4782; A-12913) (E-4899)	(P-4782; A-12913) (E-4899)
790.3980	am	790.4680	am	(P-4782; A-12913) (E-4899)	(P-4782; A-12913) (E-4899)
790.3996	am			(P-4782; A-12913) (E-4899)	(P-4782; A-12913) (E-4899)
790.4012	am	790.4700	am	(P-4782; A-12913) (E-4899)	(P-4782; A-12913) (E-4899)
790.4040	am	790.4720	am	(P-4782; A-12913) (E-4899)	(P-4782; A-12913) (E-4899)
790.4060	am	790.4728	am	(P-4782; A-12913) (E-4899)	(P-4782; A-12913) (E-4899)
790.4100	am	790.4740	am	(P-4782; A-12913) (E-4899)	(P-4782; A-12913) (E-4899)
790.4140	am	790.4780	am	(P-4782; A-12913) (E-4899)	(P-4782; A-12913) (E-4899)
790.4173	am	790.4840	am	(P-4782; A-12913) (E-4899)	(P-4782; A-12913) (E-4899)
790.4180	am	790.4860	am	(P-4782; A-12913) (E-4899)	(P-4782; A-12913) (E-4899)
790.4220	am	790.4900	am	(P-4782; A-12913) (E-4899)	(P-4782; A-12913) (E-4899)
790.4260	am			(P-4782; A-12913) (E-4899)	(P-4782; A-12913) (E-4899)
790.4300	am	790.4965	am	(P-4782; A-12913) (E-4899)	(P-4782; A-12913) (E-4899)
790.4380	am	790.4980	am	(P-4782; A-12913) (E-4899)	(P-4782; A-12913) (E-4899)
790.4382	#	790.5060	am	(P-4782; A-12913) (E-4899)	(P-4782; A-12913) (E-4899)
790.4384	#,n	790.5100	am	(P-4782; A-12913) (E-4899)	(P-4782; A-12913) (E-4899)
790.4385	am	790.5140	am	(P-4782; A-12913) (E-4899)	(P-4782; A-12913) (E-4899)
790.4386	am			(P-4782; A-12913) (E-4899)	(P-4782; A-12913) (E-4899)

TITLE 77 (CONT'D)					
790.5180	am	790.5807	am	(P-4782; A-12913) (E-4899)	(P-4782; A-12913) (E-4899)
		790.5820	am	(P-4782; A-12913) (E-4899)	(P-4782; A-12913) (E-4899)
790.5220	am	790.5830	am	(P-4782; A-12913) (E-4899)	(P-4782; A-12913) (E-4899)
		790.5872	am	(P-4782; A-12913) (E-4899)	(P-4782; A-12913) (E-4899)
790.5300	am	790.5900	am	(P-4782; A-12913) (E-4899)	(P-4782; A-12913) (E-4899)
790.5312	am	790.5940	am	(P-4782; A-12913) (E-4899)	(P-4782; A-12913) (E-4899)
		790.5980	am	(P-4782; A-12913) (E-4899)	(P-4782; A-12913) (E-4899)
790.5380	am	790.6020	r	(P-4782; A-12913) (E-4899)	(P-4782; A-12913) (E-4899)
		790.6140	am	(P-4782; A-12913) (E-4899)	(P-4782; A-12913) (E-4899)
790.5420	am	790.6180	am	(P-4782; A-12913) (E-4899)	(P-4782; A-12913) (E-4899)
790.5483	am	790.6260	am	(P-4782; A-12913) (E-4899)	(P-4782; A-12913) (E-4899)
790.5500	am	790.6275	am	(P-4782; A-12913) (E-4899)	(P-4782; A-12913) (E-4899)
790.5520	am	790.6277	am	(P-4782; A-12913) (E-4899)	(P-4782; A-12913) (E-4899)
790.5540	am			(P-4782; A-12913) (E-4899)	(P-4782; A-12913) (E-4899)
790.5544	am	790.6280	r	(P-4782; A-12913) (E-4899)	(P-4782; A-12913) (E-4899)
790.5620	am	790.6300	am	(P-4782; A-12913) (E-4899)	(P-4782; A-12913) (E-4899)
790.5640	am	790.6340	am	(P-4782; A-12913) (E-4899)	(P-4782; A-12913) (E-4899)
790.5700	am	790.6370	am	(P-4782; A-12913) (E-4899)	(P-4782; A-12913) (E-4899)
790.5740	am			(P-4782; A-12913) (E-4899)	(P-4782; A-12913) (E-4899)
790.5788	n			(P-4782; A-12913) (E-4899)	(P-4782; A-12913) (E-4899)
		790.6375	am	(P-4782; A-12913) (E-4899)	(P-4782; A-12913) (E-4899)
		790.6420	am	(P-4782; A-12913) (E-4899)	(P-4782; A-12913) (E-4899)

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790.6430	am	(P-8329; A-16019) (E-8571) 9P-17496)	790.7100	am	(P-4782; A-12913) (E-4899)
		(E-17781)	790.7120	am	(P-4782; A-12913) (E-4899)
790.6452	am	(P-4782; A-12913) (E-4899)	790.7130	am	(P-4782; A-12913) (E-4899)
790.6456	am	(P-4782; A-12913) (E-4899)	790.7140	am	(P-4782; A-12913) (E-4899)
790.6460	am	(P-4782; A-12913) (E-4899)	790.7180	am	(P-4782; A-12913) (E-4899)
790.6480	am	(P-4782; A-12913) (E-4899)	790.7221	am	(P-17496) (E-17781) (P-4782; A-12913)
790.6500	am	(P-4782; A-12913) (E-4899)	790.7229	am	(P-4782; A-12913) (E-4899)
790.6505	am	(P-17496) (E-17781) (P-4782; A-12913)	790.7245	am	(P-17496) (E-17781) (P-4782; A-12913)
790.6540	am	(P-4782; A-12913) (E-4899)	790.7260	am	(P-4782; A-12913) (E-4899)
790.6570	r	(P-4782; A-12913) (E-4899)	790.7263	n	(P-4782; A-12913) (E-4899) (P-17496) (E-17881)
790.6580	am	(P-4782; A-12913) (E-4899) (P-17496) (E-17781)	790.7265	am	(P-4782; A-12913) (E-4899)
790.6610	am	(P-8329; A-16019) (E-8571) (P-17496) (E-17781)			(P-8329; A-16019) (E-8571) (P-17496) (E-17781)
790.6670	am	(P-4782; A-12913) (E-4899)	790.7278	am	(P-17496) (E-17781) (P-4782; A-12913)
790.6740	am	(P-17496) (E-17781) (P-4782; A-12913) (E-4899)	790.7280	am	(P-4782; A-12913) (E-4899) (P-17496) (E-17781)
790.6780	am	(P-4782; A-12913) (E-4899)	790.7291	am	(P-4782; A-12913) (E-4899)
790.6800	am	(P-8329; A-16019) (E-8571)	790.7296	am	(P-4782; A-12913) (E-4899)
790.6820	am	(P-4782; A-12913) (E-4899)	790.7380	am	(P-4782; A-12913) (E-4899)
790.6860	am	(P-4782; A-12913) (E-4899)	790.7400	am	(P-4782; A-12913) (E-4899)
790.6875	am	(P-4782; A-12913) (E-4899)			(P-8329; A-16019) (E-8571)
790.6885	am	(P-4782; A-12913) (E-4899)	790.7420	am	(P-4782; A-12913) (E-4899)
790.6895	am	(P-4782; A-12913) (E-4899)	790.7500	am	(P-4782; A-12913) (E-4899)
790.6940	am	(P-4782; A-12913) (E-4899)	790.7510	am	(P-4782; A-12913) (E-4899)
790.6960	am	(P-4782; A-12913) (E-4899)	790.7520	n	(P-17496) (E-17781) (P-4782; A-12913)
790.6980	am	(P-4782; A-12913) (E-4899)	790.7540	am	(P-4782; A-12913) (E-4899)
			790.7580	am	(P-4782; A-12913) (E-4899)

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790.7700	am	(P-4782; A-12913) (E-4899)	790.8710	am	(P-4782; A-12913) (E-4899) (P-17496) (E-17781)
		(P-8329; A-16019) (E-8571)	790.8724	am	(P-4782; A-12913) (E-4899)
790.7740	am	(P-4782; A-12913) (E-4899)	790.8740	am	(P-4782; A-12913) (E-4899)
790.7820	am	(P-4782; A-12913) (E-4899)	790.8780	am	(P-4782; A-12913) (E-4899)
790.7828	am	(P-4782; A-12913) (E-4899)	790.8820	am	(P-4782; A-12913) (E-4899)
		(P-15943/91; A-5941; C-7512)	790.8835	n	(P-17496) (E-17781) (P-4782; A-12913)
790.7834	am	(P-4782; A-12913) (E-4899)	790.8900	am	(P-4782; A-12913) (E-4899)
790.7860	am	(P-4782; A-12913) (E-4899)	790.8940	am	(P-4782; A-12913) (E-4899)
790.7875	n	(P-17496) (E-17781) (P-4782; A-12913)	790.8980	am	(P-4782; A-12913) (E-4899)
790.7940	am	(P-4782; A-12913) (E-4899)	790.9020	am	(P-4782; A-12913) (E-4899)
790.7980	am	(P-4782; A-12913) (E-4899)	790.9035	am	(P-4782; A-12913) (E-4899)
790.8015	am	(P-4782; A-12913) (E-4899)	790.9045	am	(P-4782; A-12913) (E-4899) (P-17496) (E-17881)
790.8020	am	(P-4782; A-12913) (E-4899)	790.9048	am	(P-4782; A-12913) (E-4899)
790.8030	am	(P-8329; A-16019) (E-8571) (P-17496) (E-17781)			(P-15943/91; A-5941; C-7512)
790.8106	am	(P-4782; A-12913) (E-4899)	790.9050	am	(P-15943/91; A-5941; C-7512) (P-8329; A-16019) (E-8571)
790.8136	am	(P-4782; A-12913) (E-4899)			(P-17496) (E-17781) (P-4782; A-12913)
790.8248	am	(P-4782; A-12913) (E-4899)	790.9056	am	(P-4782; A-12913) (E-4899)
790.8300	am	(P-4782; A-12913) (E-4899)	790.9060	am	(P-4782; A-12913) (E-4899)
790.8420	am	(P-4782; A-12913) (E-4899)	790.9070	n	(P-8329; A-16019) (E-8571) (P-17496) (E-17781)
790.8540	am	(P-4782; A-12913) (E-4899)	790.9084	am	(P-4782; A-12913) (E-4899)
790.8550	am	(P-17496) (E-17781) (P-4782; A-12913)	790.9100	am	(P-4782; A-12913) (E-4899)
790.8580	am	(P-4782; A-12913) (E-4899)			(P-15943/91; A-5941; C-7512)
		(P-15943/91; A-5941; C-7512)	790.9140	am	(P-4782; A-12913) (E-4899)
790.8620	am	(P-4782; A-12913) (E-4899)	790.9180	am	(P-4782; A-12913) (E-4899)
790.8700	am	(P-4782; A-12913) (E-4899)			(P-4782; A-12913) (E-4899)

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790.9220	am	(P-4782; A-12913) (E-4899)	830.900 am (P-2092; A-11612) (P-4329)
790.9260	am	(P-4782; A-12913) (E-4899)	840.20 am (P-4329)
790.9300	am	(P-4782; A-12913) (E-4899)	840.115 am (P-4329)
790.9340	am	(P-4782; A-12913) (E-4899)	840.215 am (P-4329)
790.9380	am	(P-4782; A-12913) (E-4899)	840.305 am (P-4329)
790.9420	am	(P-4782; A-12913) (E-4899)	840.310 am (P-4329)
790.9460	am	(P-4782; A-12913) (E-4899)	840. Ap.B am (P-4329)
790.9500	am	(P-4782; A-12913) (E-4899)	.Ex.A am (P-4329)
790.9520	am	(P-4782; A-12913) (E-4899)	.II.A r (P-4329)
790.9530	am	(P-4782; A-12913) (E-4899)	.Ex.B n (P-4329)
790.9580	am	(P-4782; A-12913) (E-4899)	.II.B r (P-4329)
795.10	n	(P-4782; A-12913) (E-4899)	.II.A r (P-4329)
795.20	n	(P-4782; A-12913) (E-4899)	.Ex.B n (P-4329)
795.30	n	(P-4782; A-12913) (E-4899)	.II.B r (P-4329)
795.40	n	(P-4782; A-12913) (E-4899)	.Ex.B n (P-4329)
795.50	n	(P-4782; A-12913) (E-4899)	.II.A r (P-4329)
795.60	n	(P-4782; A-12913) (E-4899)	.Ex.B n (P-4329)
795.70	n	(P-4782; A-12913) (E-4899)	.II.B r (P-4329)
795.80	n	(P-4782; A-12913) (E-4899)	.Ex.B n (P-4329)
795.90	n	(P-4782; A-12913) (E-4899)	.II.A r (P-4329)
795.100	n	(P-4782; A-12913) (E-4899)	.Ex.B n (P-4329)
795.110	n	(P-4782; A-12913) (E-4899)	.II.B r (P-4329)
795.120	n	(P-4782; A-12913) (E-4899)	.Ex.B n (P-4329)
795.130	n	(P-4782; A-12913) (E-4899)	.II.A r (P-4329)
795.140	n	(P-4782; A-12913) (E-4899)	.Ex.B n (P-4329)
795.150	n	(P-4782; A-12913) (E-4899)	.II.B r (P-4329)
795.160	n	(P-4782; A-12913) (E-4899)	.Ex.B n (P-4329)
795.170	n	(P-4782; A-12913) (E-4899)	.II.A r (P-4329)
795.180	n	(P-4782; A-12913) (E-4899)	.Ex.B n (P-4329)
795.190	n	(P-4782; A-12913) (E-4899)	.II.B r (P-4329)
795.200	n	(P-4782; A-12913) (E-4899)	.Ex.B n (P-4329)
795.210	n	(P-4782; A-12913) (E-4899)	.II.A r (P-4329)
795.220	n	(P-4782; A-12913) (E-4899)	.Ex.B n (P-4329)
830.10	am	(P-2092; A-11612)	830.10 am (P-18479)
830.880	am	(P-2092; A-11612)	830.115 am (P-18479)
830.885	am	(P-2092; A-11612)	830.210 r (P-18479)
830.890	am	(P-2092; A-11612)	830.210 n (P-18479)

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890.220	r	(P-18236)	890.610 n (P-18479) (P-18236)
890.230	n	(P-18479)	890.620 r (P-18236)
890.230	r	(P-18236)	890.620 n (P-18479) (P-18236)
890.240	r	(P-18236)	890.630 n (P-18479) (P-18236)
890.250	r	(P-18236)	890.640 r (P-18236)
890.260	r	(P-18236)	890.640 n (P-18479) (P-18236)
890.270	r	(P-18236)	890.650 r (P-18236)
890.280	r	(P-18236)	890.650 n (P-18479) (P-18236)
890.290	r	(P-18236)	890.660 r (P-18236)
890.300	r	(P-18236)	890.660 n (P-18479) (P-18236)
890.310	r	(P-18236)	890.670 r (P-18236)
890.310	n	(P-18479)	890.670 n (P-18479) (P-18236)
890.320	r	(P-18236)	890.680 r (P-18236)
890.320	n	(P-18479)	890.680 n (P-18479) (P-18236)
890.330	r	(P-18236)	890.690 r (P-18236)
890.330	n	(P-18479)	890.690 n (P-18479) (P-18236)
890.340	r	(P-18236)	890.700 n (P-18479) (P-18236)
890.340	n	(P-18479)	890.710 r (P-18236)
890.350	r	(P-18236)	890.710 n (P-18479) (P-18236)
890.350	n	(P-18479)	890.720 r (P-18236)
890.360	r	(P-18236)	890.720 n (P-18479) (P-18236)
890.360	n	(P-18479)	890.730 r (P-18236)
890.370	r	(P-18236)	890.730 n (P-18479) (P-18236)
890.370	n	(P-18479)	890.740 r (P-18236)
890.380	r	(P-18236)	890.740 n (P-18479) (P-18236)
890.380	n	(P-18479)	890.750 r (P-18236)
890.390	r	(P-18236)	890.750 n (P-18479) (P-18236)
890.400	r	(P-18236)	890.760 r (P-18236)
890.410	r	(P-18236)	890.760 n (P-18479) (P-18236)
890.410	n	(P-18479)	890.770 r (P-18236)
890.420	r	(P-18236)	890.770 n (P-18479) (P-18236)
890.420	n	(P-18479)	890.780 r (P-18236)
890.430	r	(P-18236)	890.780 n (P-18479) (P-18236)
890.430	n	(P-18479)	890.790 n (P-18236)
890.440	r	(P-18236)	890.800 r (P-18236)
890.440	n	(P-18479)	890.810 r (P-18236)
890.450	r	(P-18236)	890.810 n (P-18479) (P-18236)
890.460	r	(P-18236)	890.820 r (P-18236)
890.510	r	(P-18236)	890.830 r (P-18236)
890.510	n	(P-18479)	890.840 r (P-18236)
890.520	r	(P-18236)	890.850 r (P-18236)
890.520	n	(P-18479)	890.860 r (P-18236)
890.530	r	(P-18236)	890.870 r (P-18236)
890.530	n	(P-18479)	890.880 r (P-18236)
890.540	r	(P-18236)	890.890 r (P-18236)
890.540	n	(P-18479)	890.900 r (P-18236)
890.550	r	(P-18236)	890.910 r (P-18236)
890.550	n	(P-18479)	890.910 n (P-18479) (P-18236)
890.560	r	(P-18236)	890.920 r (P-18236)
890.610	r	(P-18236)	890.920 n (P-18479) (P-18236)

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.IL.J	n	(P-18479)	.IL.C	n	(P-18479)
.IL.K	n	(P-18479)	.IL.D	n	(P-18479)
.IL.L	n	(P-18479)	.IL.E	n	(P-18479)
.IL.M	n	(P-18479)	.IL.F	n	(P-18479)
.IL.N	n	(P-18479)	890. Ap.G	n	(P-18479)
.IL.O	n	(P-18479)	.IL.A	n	(P-18479)
.IL.P	n	(P-18479)	.IL.B	n	(P-18479)
.IL.Q	n	(P-18479)	.IL.C	n	(P-18479)
.IL.R	n	(P-18479)	.IL.D	n	(P-18479)
.IL.S	n	(P-18479)	890. Ap.H	n	(P-18479)
.IL.T	n	(P-18479)	.IL.A	n	(P-18479)
.IL.U	n	(P-18479)	.IL.B	n	(P-18479)
.IL.V	n	(P-18479)	.IL.C	n	(P-18479)
.IL.W	n	(P-18479)	.IL.D	n	(P-18479)
.IL.X	n	(P-18479)	.IL.E	n	(P-18479)
.IL.Y	n	(P-18479)	.IL.F	n	(P-18479)
.IL.Z	n	(P-18479)	890. Ap.I	n	(P-18479)
.IL.AA	n	(P-18479)	.IL.A	n	(P-18479)
890. Ap.C	r	(P-18236)	.IL.B	n	(P-18479)
890. Ap.C	n	(P-18479)	.IL.C	n	(P-18479)
.IL.A	n	(P-18479)	.IL.D	n	(P-18479)
.IL.B	n	(P-18479)	.IL.E	n	(P-18479)
.IL.C	n	(P-18479)	.IL.F	n	(P-18479)
.IL.D	n	(P-18479)	.IL.G	n	(P-18479)
890. Ap.D	r	(P-18236)	.IL.H	n	(P-18479)
890. Ap.D	n	(P-18479)	.IL.I	n	(P-18479)
.IL.A	n	(P-18479)	.IL.J	n	(P-18479)
.IL.B	n	(P-18479)	.IL.K	n	(P-18479)
.IL.C	n	(P-18479)	.IL.L	n	(P-18479)
.IL.D	n	(P-18479)	.IL.M	n	(P-18479)
.IL.E	n	(P-18479)	.IL.N	n	(P-18479)
.IL.F	n	(P-18479)	.IL.O	n	(P-18479)
.IL.G	n	(P-18479)	890. Ap.J	n	(P-18479)
.IL.H	n	(P-18479)	.IL.A	n	(P-18479)
890. Ap.E	r	(P-18236)	.IL.B	n	(P-18479)
.IL.A	n	(P-18479)	.IL.C	n	(P-18479)
.IL.B	n	(P-18479)	.IL.D	n	(P-18479)
.IL.C	n	(P-18479)	.IL.E	n	(P-18479)
.IL.D	n	(P-18479)	.IL.F	n	(P-18479)
.IL.E	n	(P-18479)	.IL.G	n	(P-18479)
.IL.F	n	(P-18479)	.IL.H	n	(P-18479)
.IL.G	n	(P-18479)	.IL.I	n	(P-18479)
.IL.H	n	(P-18479)	.IL.J	n	(P-18479)
890. Ap.F	n	(P-18479)	.IL.K	n	(P-18479)
.IL.A	n	(P-18479)	.IL.L	n	(P-18479)
.IL.B	n	(P-18479)	890. Ap.K	n	(P-18479)
.IL.C	n	(P-18479)	.IL.A	n	(P-18479)
.IL.D	n	(P-18479)	.IL.B	n	(P-18479)
.IL.E	n	(P-18479)	.IL.C	n	(P-18479)
890. Ap.F	n	(P-18479)			

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.JL.D	n	(P-18479)	.JL.U	r	(P-18236)
.JL.E	n	(P-18479)	.JL.V	r	(P-18236)
.JL.F	n	(P-18479)	.JL.W	r	(P-18236)
.JL.G	n	(P-18479)	.JL.X	r	(P-18236)
.JL.H	n	(P-18479)	890 Ex.B	r	(P-18236)
.JL.I	n	(P-18479)	.JL.A	r	(P-18236)
.JL.J	n	(P-18479)	.JL.B	r	(P-18236)
.JL.K	n	(P-18479)	.JL.C	r	(P-18236)
.JL.L	n	(P-18479)	.JL.D	r	(P-18236)
.JL.M	n	(P-18479)	.JL.E	r	(P-18236)
.JL.N	n	(P-18479)	.JL.F	r	(P-18236)
.JL.O	n	(P-18479)	.JL.G	r	(P-18236)
.JL.P	n	(P-18479)	.JL.H	r	(P-18236)
.JL.Q	n	(P-18479)	.JL.I	r	(P-18236)
.JL.R	n	(P-18479)	.JL.J	r	(P-18236)
.JL.S	n	(P-18479)	890 Ex.C	r	(P-18236)
.JL.T	n	(P-18479)	.JL.A	r	(P-18236)
.JL.U	n	(P-18479)	.JL.B	r	(P-18236)
.JL.V	n	(P-18479)	.JL.C	r	(P-18236)
.JL.W	n	(P-18479)	.JL.D	r	(P-18236)
.JL.X	n	(P-18479)	.JL.E	r	(P-18236)
.JL.Y	n	(P-18479)	.JL.F	r	(P-18236)
.JL.Z	n	(P-18479)	.JL.G	r	(P-18236)
.JL.AA	n	(P-18479)	.JL.H	r	(P-18236)
.JL.BB	n	(P-18479)	.JL.I	r	(P-18236)
.JL.CC	n	(P-18479)	.JL.J	r	(P-18236)
.JL.DD	n	(P-18479)	.JL.K	r	(P-18236)
.JL.EE	n	(P-18479)	.JL.L	r	(P-18236)
.JL.FF	n	(P-18479)	.JL.M	r	(P-18236)
.JL.GG	n	(P-18479)	.JL.N	r	(P-18236)
890 Ex.A	r	(P-18236)	890 Ex.D	r	(P-18236)
.JL.A	r	(P-18236)	.JL.A	r	(P-18236)
.JL.B	r	(P-18236)	.JL.B	r	(P-18236)
.JL.C	r	(P-18236)	.JL.C	r	(P-18236)
.JL.D	r	(P-18236)	.JL.D	r	(P-18236)
.JL.E	r	(P-18236)	.JL.E	r	(P-18236)
.JL.F	r	(P-18236)	.JL.F	r	(P-18236)
.JL.G	r	(P-18236)	.JL.G	r	(P-18236)
.JL.H	r	(P-18236)	.JL.H	r	(P-18236)
.JL.I	r	(P-18236)	.JL.I	r	(P-18236)
.JL.J	r	(P-18236)	.JL.J	r	(P-18236)
.JL.K	r	(P-18236)	.JL.K	r	(P-18236)
.JL.L	r	(P-18236)	.JL.L	r	(P-18236)
.JL.M	r	(P-18236)	.JL.M	r	(P-18236)
.JL.N	r	(P-18236)	.JL.N	r	(P-18236)
.JL.O	r	(P-18236)	.JL.O	r	(P-18236)
.JL.P	r	(P-18236)	.JL.P	r	(P-18236)
.JL.Q	r	(P-18236)	890 Ex.E	r	(P-18236)
.JL.R	r	(P-18236)	.JL.A	r	(P-18236)
.JL.S	r	(P-18236)	.JL.B	r	(P-18236)

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.IL.D	r	.Tb.B	r
.IL.E	r	.Tb.C	r
.IL.F	r	.Tb.D	r
.IL.G	r	.Tb.E	r
.IL.H	r	.Tb.F	r
.IL.I	r	.Tb.G	r
.IL.J	r	.Tb.H	r
.IL.K	r	.Tb.I	r
.IL.L	r	.Tb.J	r
.IL.M	r	.Tb.K	r
.IL.N	r	.Tb.L	r
.IL.O	r	.Tb.M	r
.IL.P	r	.Tb.N	r
.IL.Q	r	.Tb.O	r
.IL.R	r	.Tb.P	r
.IL.S	r	.Tb.Q	r
.IL.T	r	900.10	am
.IL.U	r	900.30	am
.IL.V	r	900.40	am
.IL.W	r	900.50	am
.IL.X	r	900.60	am
.IL.Y	r	900.65	am
.IL.Z	r	900.70	am
.IL.AA	r	900.75	am
.IL.BB	r	900.80	am
.IL.CC	r	900.85	am
.IL.DD	r	900.90	am
890.Ex. G	r	900.95	am
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		935.70	am
		935.80	am
		935.90	am
		936.00	am
		936.10	am
		936.20	am
		936.30	am
		936.40	am
		936.50	am
		936.60	am
		936.70	am
		936.80	am
		936.90	am
		937.00	am
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TITLE 77 (CONT'D)	2030.610	r	(P-9153/91; A-2530)
2030.40	2030.610	n	(P-9083/91; A-2457)
2030.40	2030.620	r	(P-9153/91; A-2530)
2030.50	2030.620	n	(P-9083/91; A-2457)
2030.100	2030.630	r	(P-9153/91; A-2530)
2030.105	2030.640	r	(P-9083/91; A-2457)
2030.107	2030.710	r	(P-9153/91; A-2530)
2030.110	2030.710	n	(P-9083/91; A-2457)
2030.110	2030.720	r	(P-9153/91; A-2530)
2030.115	2030.720	n	(P-9083/91; A-2457)
2030.120	2030.730	r	(P-9153/91; A-2530)
2030.120	2030.730	n	(P-9083/91; A-2457)
2030.130	2030.740	r	(P-9153/91; A-2530)
2030.130	2030.740	n	(P-9083/91; A-2457)
2030.140	2030.750	r	(P-9153/91; A-2530)
2030.150	2030.750	n	(P-9083/91; A-2457)
2030.160	2030.760	r	(P-9153/91; A-2530)
2030.210	2030.760	n	(P-9083/91; A-2457)
2030.210	2030.810	r	(P-9153/91; A-2530)
2030.220	2030.810	n	(P-9083/91; A-2457)
2030.220	2030.820	r	(P-9153/91; A-2530)
2030.230	2030.820	n	(P-9083/91; A-2457)
2030.230	2030.830	r	(P-9153/91; A-2530)
2030.310	2030.840	r	(P-9153/91; A-2530)
2030.310	2030.850	n	(P-9083/91; A-2457)
2030.320	2030.910	r	(P-9153/91; A-2530)
2030.320	2030.910	n	(P-9083/91; A-2457)
2030.330	2030.920	r	(P-9153/91; A-2530)
2030.330	2030.930	n	(P-9083/91; A-2457)
2030.340	2030.940	r	(P-9153/91; A-2530)
2030.340	2030.950	n	(P-9083/91; A-2457)
2030.350	2030.960	r	(P-9153/91; A-2530)
2030.350	2030.970	r	(P-9153/91; A-2530)
2030.360	2030.980	r	(P-9153/91; A-2530)
2030.410	2030.1010	r	(P-9153/91; A-2530)
2030.410	2030.1010	n	(P-9083/91; A-2457)
2030.420	2030.1020	r	(P-9153/91; A-2530)
2030.420	2030.1020	n	(P-9083/91; A-2457)
2030.430	2030.1030	r	(P-9153/91; A-2530)
2030.430	2030.1030	n	(P-9083/91; A-2457)
2030.440	2030.1040	r	(P-9153/91; A-2530)
2030.440	2030.1040	n	(P-9083/91; A-2457)
2030.450	2030.1050	r	(P-9153/91; A-2530)
2030.450	2030.1050	n	(P-9083/91; A-2457)
2030.510	2030.1070	r	(P-9153/91; A-2530)
2030.510	2030.1080	n	(P-9083/91; A-2457)
2030.520	2030.1090	r	(P-9153/91; A-2530)
2030.520	2030.1110	n	(P-9083/91; A-2457)
2030.530	2030.1110	r	(P-9153/91; A-2530)
2030.540	2030.1120	r	(P-9083/91; A-2457)
2030.550	2030.1120	n	(P-9083/91; A-2457)

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2030.1130	2030.1130	n	(P-9083/91; A-2457)
2030.1140	2030.1140	r	(P-9153/91; A-2530)
2030.1140	2030.1140	n	(P-9083/91; A-2457)
2030.1150	2030.1150	n	(P-9083/91; A-2457)
2030.1160	2030.1160	n	(P-9083/91; A-2457)
2030.1205	2030.1205	n	(P-9153/91; A-2530)
2030.1210	2030.1210	r	(P-9153/91; A-2530)
2030.1210	2030.1210	n	(P-9083/91; A-2457)
2030.1215	2030.1215	r	(P-9153/91; A-2530)
2030.1220	2030.1220	r	(P-9153/91; A-2530)
2030.1225	2030.1225	n	(P-9153/91; A-2530)
2030.1225	2030.1225	n	(P-9083/91; A-2457)
2030.1230	2030.1230	r	(P-9153/91; A-2530)
2030.1230	2030.1230	n	(P-9083/91; A-2457)
2030.1245	2030.1245	n	(P-9153/91; A-2530)
2030.1250	2030.1250	r	(P-9153/91; A-2530)
2030.1255	2030.1255	n	(P-9083/91; A-2457)
2030.1260	2030.1260	r	(P-9153/91; A-2530)
2030.1265	2030.1265	n	(P-9083/91; A-2457)
2030.1270	2030.1270	r	(P-9153/91; A-2530)
2030.1310	2030.1310	r	(P-9153/91; A-2530)
2030.1310	2030.1310	n	(P-9083/91; A-2457)
2030.1320	2030.1320	n	(P-9153/91; A-2530)
2030.1330	2030.1330	r	(P-9153/91; A-2530)
2030.1340	2030.1340	r	(P-9153/91; A-2530)
2030.1350	2030.1350	r	(P-9153/91; A-2530)
2031.10	2031.10	r	(P-9149/91; A-2455)
2032.10	2032.10	r	(P-9218/91; A-2533)
2032.15	2032.15	r	(P-9218/91; A-2533)
2032.20	2032.20	r	(P-9218/91; A-2533)
2032.25	2032.25	r	(P-9218/91; A-2533)
2032.30	2032.30	r	(P-9218/91; A-2533)
2032.35	2032.35	r	(P-9218/91; A-2533)
2032.40	2032.40	r	(P-9218/91; A-2533)
2032.45	2032.45	r	(P-9218/91; A-2533)
2032.50	2032.50	r	(P-9218/91; A-2533)
2032.55	2032.55	r	(P-9218/91; A-2533)
2032.60	2032.60	r	(P-9218/91; A-2533)
2056.1	2056.1	am	(P-4567; A-15917)
2056.5	2056.5	am	(P-4567; A-15917)
2056.15	2056.15	am	(P-4567; A-15917)
2056.20	2056.20	am	(P-4567; A-15917)
2056.25	2056.25	am	(P-4567; A-15917)
2056.50	2056.50	am	(P-4567; A-15917)
2056.55	2056.55	am	(P-4567; A-15917)

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2080.60	am	(P-11367; O-16691) RC-16692	302.610	am	((P-17187)	
2080.70	am	(P-11367; O-16691) RC-16692	302.822	am	(P-8675; A-13489)	
2080.80	am	(P-11367; O-16691) RC-16692	303.102	am	(P-327; A-8368)	
2080.90	am	(P-11367; O-16691) RC-16692	303.115	n	(P-327; A-8368)	
2080.100	am	(P-11367; O-16691) RC-16692	303.125	am	(P-327; A-8368)	
2080.110	am	(P-11367; O-16691) RC-16692	303.175	n	(P-327; A-8368)	
2080.120	am	(P-11367; O-16691) RC-16692	303.290	am	(P-327; A-8368)	
2080.130	am	(P-11367; O-16691) RC-16692	303.385	n	(P-327; A-8368)	
2080.140	am	(P-11367; O-16691) RC-16692	304.51	n	(P-334; RC-10499)	
2080.150	am	(P-11367; O-16691) RC-16692	310.30	am	(P-18139)	
2080.160	am	(P-11367; O-16691) RC-16692	310.40	am	(P-18139)	
2080.170	am	(P-11367; O-16691) RC-16692	310.100	am	(P-342; A-8382)	
2080.180	am	(P-11367; O-16691) RC-16692	310.110	am	(E-711)	
2080.190	am	(P-11367; O-16691) RC-16692	310.130	am	(P-12051/91; A-3450)	
2080.200	am	(P-5104; A-11807)	310.230	am	(P-13679) (E-13950)	
2080.210	am	(P-5104; A-11807)	310.270	am	(P-12051/91; A-3450)	
2080.220	am	(P-5104; A-11807)	310.280	am	(P-13679) (E-13950)	
2080.230	am	(P-5104; A-11807)	310.290	am	(P-342; A-8382)	
2080.240	am	(P-5104; A-11807)	310.300	am	(P-18139)	
2080.250	am	(P-17444/91; A-8980)	310.450	am	(P-12051/91; A-3450)	
2080.260	am	(P-18913) (E-19210)	310.455	am	(P-12051/91; A-3450)	
2080.270	am	(P-18913) (E-19210)	310.470	am	(P-6521) (E-6888)	
2080.280	am	(P-17444/91; A-8980)	310.490	am	(E-8239) (P-14001)	
2080.290	am	(P-17444/91; A-8980)	310.530	am	(E-14452)	
2080.300	am	(P-18913) (E-19210)	310.540	am	(P-14001) (E-14452)	
2080.310	am	(P-18913) (E-19210)	310.540	am	(P-14001) (E-14452)	
2080.320	am	(P-13463)	310. Ap. A	am	(P-342; A-8382)	
2080.330	am	(P-13463)			(PP-5068; RC-6899)	
2080.340	am	(P-13463)			(P-13179) (P-18139)	
2080.350	am	(P-13463)			(P-18139)	
2080.360	am	(P-13463)			(P-18139)	
2080.370	am	(P-13463)			(P-18139)	
2080.380	am	(P-13463)			(P-18139)	
2080.390	am	(P-13463)			(P-18139)	
2080.400	am	(P-13463)			(P-18139)	
2080.410	am	(P-13463)			(P-18139)	
2080.420	am	(P-13463)			(P-18139)	
2080.430	am	(P-13463)			(P-18139)	
2080.440	am	(P-13463)			(P-18139)	
2080.450	am	(P-13463)			(P-18139)	
2080.460	am	(P-13463)			(P-18139)	
2080.470	am	(P-13463)			(P-18139)	
2080.480	am	(P-13463)			(P-18139)	
2080.490	am	(P-13463)			(P-18139)	
2080.500	am	(P-13463)			(P-18139)	
2080.510	am	(P-13463)			(P-18139)	
2080.520	am	(P-13463)			(P-18139)	
2080.530	am	(P-13463)			(P-18139)	
2080.540	am	(P-13463)			(P-18139)	
2080.550	am	(P-13463)			(P-18139)	
2080.560	am	(P-13463)			(P-18139)	
2080.570	am	(P-13463)			(P-18139)	
2080.580	am	(P-13463)			(P-18139)	
2080.590	am	(P-13463)			(P-18139)	
2080.600	am	(P-13463)			(P-18139)	
2080.610	am	(P-13463)			(P-18139)	
2080.620	am	(P-13463)			(P-18139)	
2080.630	am	(P-13463)			(P-18139)	
2080.640	am	(P-13463)			(P-18139)	
2080.650	am	(P-13463)			(P-18139)	
2080.660	am	(P-13463)			(P-18139)	
2080.670	am	(P-13463)			(P-18139)	
2080.680	am	(P-13463)			(P-18139)	
2080.690	am	(P-13463)			(P-18139)	
2080.700	am	(P-13463)			(P-18139)	
2080.710	am	(P-13463)			(P-18139)	
2080.720	am	(P-13463)			(P-18139)	
2080.730	am	(P-13463)			(P-18139)	
2080.740	am	(P-13463)			(P-18139)	
2080.750	am	(P-13463)			(P-18139)	
2080.760	am	(P-13463)			(P-18139)	
2080.770	am	(P-13463)			(P-18139)	
2080.780	am	(P-13463)			(P-18139)	
2080.790	am	(P-13463)			(P-18139)	
2080.800	am	(P-13463)			(P-18139)	
2080.810	am	(P-13463)			(P-18139)	
2080.820	am	(P-13463)			(P-18139)	
2080.830	am	(P-13463)			(P-18139)	
2080.840	am	(P-13463)			(P-18139)	
2080.850	am	(P-13463)			(P-18139)	
2080.860	am	(P-13463)			(P-18139)	
2080.870	am	(P-13463)			(P-18139)	
2080.880	am	(P-13463)			(P-18139)	
2080.890	am	(P-13463)			(P-18139)	
2080.900	am	(P-13463)			(P-18139)	
2080.910	am	(P-13463)			(P-18139)	
2080.920	am	(P-13463)			(P-18139)	
2080.930	am	(P-13463)			(P-18139)	
2080.940	am	(P-13463)			(P-18139)	
2080.950	am	(P-13463)			(P-18139)	
2080.960	am	(P-13463)			(P-18139)	
2080.970	am	(P-13463)			(P-18139)	
2080.980	am	(P-13463)			(P-18139)	
2080.990	am	(P-13463)			(P-18139)	
2080.1000	am	(P-13463)			(P-18139)	
2080.1010	am	(P-13463)			(P-18139)	
2080.1020	am	(P-13463)			(P-18139)	
2080.1030	am	(P-13463)			(P-18139)	
2080.1040	am	(P-13463)			(P-18139)	
2080.1050	am	(P-13463)			(P-18139)	
2080.1060	am	(P-13463)			(P-18139)	
2080.1070	am	(P-13463)			(P-18139)	
2080.1080	am	(P-13463)			(P-18139)	
2080.1090	am	(P-13463)			(P-18139)	
2080.1100	am	(P-13463)			(P-18139)	
2080.1110	am	(P-13463)			(P-18139)	
2080.1120	am	(P-13463)			(P-18139)	
2080.1130	am	(P-13463)			(P-18139)	
2080.1140	am	(P-13463)			(P-18139)	
2080.1150	am	(P-13463)			(P-18139)	
2080.1160	am	(P-13463)			(P-18139)	
2080.1170	am	(P-13463)			(P-18139)	
2080.1180	am	(P-13463)			(P-18139)	
2080.1190	am	(P-13463)			(P-18139)	
2080.1200	am	(P-13463)			(P-18139)	
2080.1210	am	(P-13463)			(P-18139)	
2080.1220	am	(P-13463)			(P-18139)	
2080.1230	am	(P-13463)			(P-18139)	
2080.1240	am	(P-13463)			(P-18139)	
2080.1250	am	(P-13463)			(P-18139)	
2080.1260	am	(P-13463)			(P-18139)	
2080.1270	am	(P-13463)			(P-18139)	
2080.1280	am	(P-13463)			(P-18139)	
2080.1290	am	(P-13463)			(P-18139)	
2080.1300	am	(P-13463)			(P-18139)	
2080.1310	am	(P-13463)			(P-18139)	
2080.1320	am	(P-13463)			(P-18139)	
2080.1330	am	(P-13463)			(P-18139)	
2080.1340	am	(P-13463)			(P-18139)	
2080.1350	am	(P-13463)			(P-18139)	
2080.1360	am	(P-13463)			(P-18139)	
2080.1370	am	(P-13463)			(P-18139)	
2080.1380	am	(P-13463)			(P-18139)	
2080.1390	am	(P-13463)			(P-18139)	
2080.1400	am	(P-13463)			(P-18139)	
2080.1410	am	(P-13463)			(P-18139)	
2080.1420	am	(P-13463)			(P-18139)	
2080.1430	am	(P-13463)			(P-18139)	
2080.1440	am	(P-13463)			(P-18139)	
2080.1450	am	(P-13463)			(P-18139)	
2080.1460	am	(P-13463)			(P-18139)	
2080.1470	am	(P-13463)			(P-18139)	
2080.1480	am	(P-13463)			(P-18139)	
2080.1490	am	(P-13463)			(P-18139)	
2080.1500	am	(P-13463)			(P-18139)	
2080.1510	am	(P-13463)			(P-18139)	
2080.1520	am	(P-13463)			(P-18139)	
2080.1530	am	(P-13463)			(P-18139)	
2080.1540	am	(P-13463)			(P-18139)	
2080.1550	am	(P-13463)			(P-18139)	
2080.1560	am	(P-13463)			(P-18139)	
2080.1570	am	(P-13463)			(P-18139)	
2080.1580	am	(P-13463)			(P-18139)	
2080.1590	am	(P-13463)			(P-18139)	
2080.1600	am	(P-13463)			(P-18139)	
2080.1610	am	(P-13463)			(P-18139)	
2080.1620	am	(P-13463)			(P-18139)	
2080.1630	am	(P-13463)			(P-18139)	
2080.1640	am	(P-13463)			(P-18139)	
2080.1650	am	(P-13463)			(P-18139)	
2080.1660	am	(P-13463)			(P-18139)	
2080.1670	am	(P-13463)			(P-18139)	
2080.1680	am	(P-13463)			(P-18139)	
2080.1690	am	(P-13463)			(P-18139)	
2080.1700	am	(P-13463)			(P-18139)	
2080.1710	am	(P-13463)			(P-18139)	
2080.1720	am	(P-13463)			(P-18139)	
2080.1730	am	(P-13463)			(P-18139)	
2080.1740	am	(P-13463)			(P-18139)	
2080.1750	am	(P-13463)			(P-18139)	
2080.1760	am	(P-13463)			(P-18139)	
2080.1770	am	(P-13463)			(P-18139)	
2080.1780	am	(P-13463)			(P-18139)	
2080.1790	am	(P-13463)			(P-18139)	
2080.1800	am	(P-13463)			(P-18139)	
2080.1810	am	(P-13463)			(P-18139)	
2080.1820	am	(P-13463)			(P-18139)	
2080.1830	am	(P-13463)			(P-18139)	
2080.1840	am	(P-13463)			(P-18139)	
2080.1850	am	(P-13463)			(P-18139)	
2080.1860	am	(P-13463)			(P-18139)	
2080.1870	am	(P-13463)			(P-18139)	
2080.1880	am	(P-13463)			(P-18139)	
2080.1890	am	(P-13463)			(P-18139)	
2080.1900	am	(P-13463)			(P-18139)	
2080.1910	am	(P-13463)			(P-18139)	
2080.1920	am	(P-13463)			(P-18139)	
2080.1930	am	(P-13463)			(P-18139)	
2080.1940	am	(P-13463)			(P-18139)	
2080.1950	am	(P-13463)			(P-18139)	
2080.1960	am	(P-13463)			(P-18139)	
2080.1970	am	(P-13463)			(P-18139)	
2080.1980	am	(P-13463)			(P-18139)	
2080.1990	am	(P-13463)			(P-18139)	
2080.2000	am	(P-13463)			(P-18139)	
2080.2010	am	(P-13463)			(P-18139)	
2080.2020	am	(P-13463)			(P-18139)	
2080.2030	am	(P-13463)			(P-18139)	
2080.2040	am	(P-13463)			(P-18139)	
2080.2050	am	(P-13463)			(P-18139)	
2080.2060	am	(P-13463)			(P-18139)	
2080.2070	am	(P-13463)			(P-18139)	
2080.2080	am	(P-13463)			(P-18139)	
2080.2090	am	(P-13463)			(P-18139)	
2080.2100	am	(P-13463)			(P-18139)	
2080.2110	am	(P-13463)				

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.Th. G	am	2120.30
	(P-342; A-8382)	2120.210
.Th. H	am	2120.220
	(P-342; A-8382)	2120.310
.Th. I	am	2120.440
	(P-342; A-8382)	2120.510
.Th. J	am	2120.520
	(P-342; A-8382)	2120.610
.Th. K	am	2650.10
	(P-342; A-8382)	2650.25
.Th. L	am	2800.410
	(P-342; A-8382)	2800.650
.Th. M	am	
	(P-13179)	
.Th. O	am	
	(P-342; A-8382)	
.Th. P	am	
	(P-342; A-8382)	
.Th. Q	am	
	(P-342; A-8382)	
.Th. R	am	
	(P-342; A-8382)	
.Th. S	am	
	(P-342; A-8382)	
.Th. T	am	
	(PP-5068; RC-6899)	
.Th. V	am	
	(PP-5068; RC-6899)	
.Th. W	am	
	(P-342; A-8382)	
.Th. X	am	
	(P-342; A-8382)	
.Th. Y	am	
	(P-342; A-8382)	
.Th. Z	am	
	(P-342; A-8382)	
310 Ap.B	am	
	(P-12051/91; A-3450)	
420.330	am	
	(P-13679) (E-13950)	
620.130	am	
	(P-15342)	
	(P-11724) (P-12409)	
	(P-15347)	
1120.80	n	
	(P-5554; A-13500)	
1540.80	am	
	(E-6052; RC-8253)	
1540.90	am	
	(P-7325; A-14407)	
1540.100	am	
	(P-7325; A-14407)	
1540.130	am	
	(P-7325; A-14407)	
1650.210	am	
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1650.230	am	
	(P-12384)	
1650.240	am	
	(P-12384)	
1650.290	am	
	(P-12384)	
1650.330	am	
	(P-12384)	
1650.340	am	
	(P-12384)	
1650.370	#	
	(P-12384)	
1650.410	am	
	(P-12384)	
1650.450	am	
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	(P-12384)	
1650.510	am	
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1650.520	am	
	(P-12384)	
1650.570	am	
	(P-12384)	
1650.620	am	
	(P-12384)	
1650.630	#	
	(P-12384)	
1650.640	am	
	(P-12384)	
1650.650	am	
	(P-12384)	
2110.30	am	
	(P-12064/91; A-13801)	
2110.210	am	
	(P-12064/91; A-13801)	
2110.440	am	
	(P-12064/91; A-13801)	
2110.520	am	
	(P-12064/91; A-13801)	
2110.610	am	
	(P-12064/91; A-13801)	

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TITLE 83 (CONT'D)	757.Ex.E	n	(P-6542; A-17981)	TITLE 86 (CONT'D)	am	(P-15417/91; A-4876)	3000.620	(P-3802; A-13310)
755.Ex.A	760.10	am	(P-7572; A-16573)	460.110	am	(P-15422/91; A-3578)	3000.625	(P-3802; A-13310)
755.Ex.B	760.20	am	(P-16535/91; A-6177)	490.101	am	(P-16913/91; A-5988)	3000.645	(P-3802; A-13310)
755.Ex.C				490.10	r	(P-16913/91; A-5988)	3000.910	(P-3802; A-13310)
755.Ex.D	760.20	r	(P-7572; A-16573)	490.20	r	(P-16913/91; A-5988)	3000.1010	(P-3802; A-13310)
755.Ex.E	770.10	n	(P-3242; A-17615)	490.30	r	(P-16913/91; A-5988)	3000.1070	(P-3802; A-13310)
755.Ex.F	770.20	n	(P-3242; A-17615)	490.40	r	(P-16913/91; A-5988)		
755.Ex.G	770.30	n	(P-3242; A-17615)	490.50	r	(P-16913/91; A-5988)		
755.Ex.H	785.1	n	(P-17427/91; A-11009)	490.60	r	(P-16913/91; A-5988)	TITLE 89	
755.Ex.I	785.5	n	(P-17427/91; A-11009)	490.70	r	(P-16913/91; A-5988)	103.25	(P-14178)
755.Ex.J	785.10	n	(P-17427/91; A-11009)	490.80	r	(P-16913/91; A-5988)	103.35	(P-14178)
755.Ex.K	785.15	n	(P-17427/91; A-11009)	490.90	r	(P-16913/91; A-5988)	104.10	(P-7793; A-16632)
755.Ex.L	785.20	n	(P-17427/91; A-11009)	490.100	r	(P-16913/91; A-5988)	104.70	(P-7793; A-16632)
755.Ex.M	785.25	n	(P-17427/91; A-11009)	490.110	r	(P-16913/91; A-5988)	104.102	(P-7793; A-16632)
755.Ex.N	785.30	n	(P-17427/91; A-11009)	490.120	r	(P-16913/91; A-5988)	104.202	(P-4741) (P-12758;
756.10	785.35	n	(P-17427/91; A-11009)	490.130	r	(P-16913/91; A-5988)	104.204	A-18834)
756.15	785.40	n	(P-17427/91; A-11009)	490.140	r	(P-16913/91; A-5988)		
756.20	785.45	n	(P-17427/91; A-11009)	490.150	r	(P-16913/91; A-5988)	104.206	(P-2752; A-12903)
756.100	785.50	n	(P-17427/91; A-11009)	490.160	r	(P-16913/91; A-5988)	104.208	(P-2752; A-12903)
756.110	785.55	n	(P-17427/91; A-11009)	490.170	r	(P-16913/91; A-5988)	104.209	(P-4741)
756.115	785.60	n	(P-17427/91; A-11009)	490.180	r	(P-16913/91; A-5988)	104.210	(P-2752; A-12903)
756.120	785.65	n	(P-17427/91; A-11009)	490.190	r	(P-16913/91; A-5988)		(P-4741) (P-12758;
756.200				490.200	r	(P-16913/91; A-5988)		A-18834)
756.210				510.101	am	(P-16932/91; A-5990)	104.212	(P-4741) (P-12758;
				510.110	am	(P-16932/91; A-5990)		A-18834)
756.220	100.3700	am	(P-7306; C-10084)	510.115	r	(P-16932/91; A-5990)	104.221	(P-4741) (P-12758;
756.300	110.9920	n	(P-7306; C-10084)	510.120	am	(P-16932/91; A-5990)		A-18834)
757.10	130.220	am	(P-14196/91; A-2624)	510.131	am	(P-16932/91; A-5990)	104.230	(P-4741)
757.15	130.310	am	(P-15013/91; A-1642)	510.145	am	(P-16932/91; A-5990)	104.235	(P-7793; A-16632)
757.100	150.Tb.A	am	(P-14563) (E-14889)	510.160	am	(P-16932/91; A-5990)	104.244	(P-4741) (P-12758;
757.105	180.101	am	(P-15948/91; A-4859)	535.101	n	(P-15340) (E-15577)		A-18834)
757.110	180.130	am	(P-15948/91; A-4859)	535.105	n	(P-15340) (E-15577)	104.246	(P-4741) (P-12758;
757.115	180.140	am	(P-15948/91; A-4859)	535.110	n	(P-15340) (E-15577)		A-18834)
757.120	180.145	am	(P-15948/91; A-4859)	535.115	n	(P-15340) (E-15577)	104.248	(P-7793; A-16632)
757.125	190.101	am	(P-15958/91; A-4867)	535.120	n	(P-15340) (E-15577)	104.272	(P-2752; A-12903)
757.130	190.110	am	(P-15958/91; A-4867)	535.125	n	(P-15340) (E-15577)	104.273	(P-2752; A-12903)
757.200	190.120	am	(P-15958/91; A-4867)	535.130	n	(P-15340) (E-15577)	104.274	(P-2752; A-12903)
757.205	190.170	am	(P-15958/91; A-4867)	535.135	n	(P-15340) (E-15577)	104.295	(P-7793; A-16632)
757.210	190.175	am	(P-15958/91; A-4867)	535.140	n	(P-15340) (E-15577)	110.10	(P-16845/91; RC-15185;
757.215	295.101	n	(P-18506/91; A-7691)	535.145	n	(P-15340) (E-15577)		A-16618)
757.220	295.105	n	(P-18506/91; A-7691)	535.150	n	(P-15340) (E-15577)	110.30	(P-3405; W-5082)
757.225	295.110	n	(P-18506/91; A-7691)	3000.100	am	(P-3802; A-13310)		(P-4704) (P-13207)
757.230	295.115	n	(P-18506/91; A-7691)	3000.200	am	(P-3802; A-13310)	111.101	(P-16851/91; A-11577)
757.235	295.120	n	(P-18506/91; A-7691)	3000.210	am	(P-3802; A-13310)		(P-16491)
757.240	430.110	am	(P-6762; A-14688)	3000.220	am	(P-3802; A-13310)	112.9	(P-13381) (E-13629)
757.245	430.125	n	(P-6762; A-14688)	3000.230	am	(P-3802; A-13310)	112.70	(P-3335)
757.300	430.160	am	(P-6762; A-14688)	3000.245	am	(P-3802; A-13310)	112.71	(P-3335)
757.Ex.A	435.120	am	(P-6777; A-14702)	3000.270	am	(P-3802; A-13310)	112.72	(P-3335)
757.Ex.B	435.140	am	(P-6777; A-14702)	3000.420	am	(P-3802; A-13310)	112.74	(P-3335)
757.Ex.C	435.160	am	(P-6777; A-14702)	3000.425	am	(P-3802; A-13310)	112.78	(P-3335)
757.Ex.D	460.101	am	(P-15417/91; A-4876)	3000.610	am	(P-3802; A-13310)	112.79	(P-3335)

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112.82	am	(P-3335)	114.61	am	(P-15008/91; A-3512)
112.110	am	(P-16596/91; A-11550)	114.62	am	(P-15008/91; A-3512)
112.115	am	(P-18062/91; A-9972)	114.63	am	(P-15008/91; A-3512)
112.127	am	(P-13195)	114.64	am	(P-15008/91; A-3512)
112.138	r	(P-11399; A-17724)	114.70	am	(P-15008/91; A-3512)
		(P-11652)	114.80	am	(P-15008/91; A-3512)
112.153	am	(P-18216)	114.120	am	(P-15008/91; A-3512)
112.154	r	(P-14522)			(P-15810 (E-16276))
112.300	am	(P-18062/91; A-9972)	114.121	am	(P-15008/91; A-3512)
112.330	am	(P-15277)			(P-15810 (E-16276))
112.400	am	(P-16596/91; A-11550)	114.122	r	(P-15008/91; A-3512)
113.9	am	(P-13383) (E-13641)	114.123	r	(P-15008/91; A-3512)
113.40	am	(P-14994/91; A-3468)	114.124	am	(P-15008/91; A-3512)
113.50	am	(P-14994/91; A-3468)			(P-15810 (E-16276))
113.108	r	(P-16610/91; A-11565)	114.125	r	(P-15810 (E-16276))
113.109	r	(P-16610/91; A-11565)	114.126	r	(P-15810 (E-16276))
113.110	r	(P-16610/91; A-11565)	114.127	r	(P-15810 (E-16276))
113.113	am	(P-16610/91; A-11565)	114.128	am	(P-4216; A-13297)
113.130	am	(P-18073/91; A-9986)			(E-4540)
113.154	r	(P-14999)	114.128	r	(P-15810 (E-16276))
113.253	am	(P-18073/91; A-9986)	114.129	r	(P-15810 (E-16276))
113.260	am	(P-18073/91; A-9986)	114.130	r	(P-15810 (E-16276))
113.309	n	(P-17457) (E-17764)	114.135	am	(P-4216; A-13297)
113.	r	(P-14994/91; A-3468)			(E-4540)
113.330	n	(P-14533) (E-14722)	114.135	r	(P-15810 (E-16276))
113.400	n	(P-14994/91; A-3468)	114.270	r	(P-15008)
113.405	n	(P-14994/91; A-3468)	114.351	am	(P-11401; W-17377)
113.410	n	(P-14994/91; A-3468)			(P-11662) (P-13766;
	am	(P-14533) (E-14722)	114.352	am	A-18815)
113.415	n	(P-14994/91; A-3468)			(P-11401; W-17377)
113.420	n	(P-14994/91; A-3468)			(E-11662) (P-13766;
113.425	n	(P-14994/91; A-3468)	114.353	am	A-18815)
	n	(P-17047) (E-17154)			(P-11401; W-17377)
113.430	n	(P-14994/91; A-3468)			(E-11662) (P-13766;
113.435	n	(P-17047) (E-17154)	114.400	am	A-18815)
113.440	#	(P-14994/91; A-3468)	114.406	n	(P-15008/91; A-3512)
113.440	am	(P-14994/91; A-3468)	114.420	am	(P-17459) (E-17772)
113.445	n	(P-14994/91; A-3468)			(P-15008/91; A-3512)
113.450	n	(P-17457) (E-17764)	114.430	am	(P-15008)
114.1	am	(P-15008/91; A-3512)	114.440	n	(P-15287)
		(P-11401; W-17377)	115.10	am	(P-14538) (E-14769)
		(E-11662) (P-13766;			(P-17897/91; A-10291)
		A-18815)	115.30	am	(P-17897/91; A-10291)
114.2	n	(P-15008/91; A-3512)	115.34	am	(P-17897/91; A-10291)
		(P-11401; W-17377)	116.400	am	(P-13764) (E-13961)
		(E-11662) (P-13766;	116.500	am	(P-16623/91; A-5350)
		A-18815)			(P-13764) (E-13961)
114.9	am	(P-13395) (E-13651)	116.520	am	(P-16623/91; A-5350)
114.60	am	(P-15008/91; A-3512)	116.520	r	(P-13764) (E-13961)

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118.200	am	(P-17040/91; A-11607)	120.390	am	(P-16625/91; A-11582)
120.11	am	(P-16625/91; A-11582)	120.391	am	(P-16625/91; A-11582)
120.31	am	(P-16625/91; A-11582)	121.3	am	(P-13385)
120.50	r	(P-12137/91; A-139)	121.23	r	(P-15813) (E-16221)
120.60	am	(P-16625/91; A-11582)	121.24	r	(P-15813) (E-16221)
120.64	am	(P-16625/91; A-11582)	121.25	am	(P-8898) (E-16221)
120.80	am	(P-16625/91; A-11582)	121.26	r	(P-15813) (E-16221)
120.200	n	(P-16856/91; A-10034)	121.27	r	(P-15813) (E-16221)
120.208	r	(P-12137/91; A-139)	121.28	r	(P-15813) (E-16221)
120.210	r	(P-12137/91; A-139)	121.29	r	(P-15813) (E-16221)
120.211	r	(P-12137/91; A-139)	121.34	am	(P-8039; A-16624)
120.212	r	(P-12137/91; A-139)	121.41	am	(P-13385)
120.215	r	(P-12137/91; A-139)	121.58	am	(P-2420; A-10011)
120.216	r	(P-12137/91; A-139)	121.59	am	(P-13385)
120.217	r	(P-12137/91; A-139)	121.60	am	(P-16345)
120.218	r	(P-12137/91; A-139)	121.61	am	(P-16345)
120.224	r	(P-12137/91; A-139)	121.63	am	(E-757) (P-6708)
120.225	r	(P-12137/91; A-139)			(P-18086; A-10011)
120.230	r	(P-12137/91; A-139)			(P-6708; A-13900)
120.235	r	(P-12137/91; A-139)	121.72	am	(P-16345)
120.236	r	(P-12137/91; A-139)	121.73	am	(P-2420; A-10011)
120.240	r	(P-12137/91; A-139)	121.76	n	(P-13385)
120.245	r	(P-12137/91; A-139)	121.91	am	(P-14186/91; A-10011)
120.250	r	(P-12137/91; A-139)	121.94	am	(P-14999/91; A-10011)
120.255	r	(P-12137/91; A-139)	121.160	n	(P-15813) (E-16221)
120.260	r	(P-12137/91; A-139)	121.162	n	(P-15813) (E-16221)
120.261	r	(P-12137/91; A-139)	121.164	n	(P-15813) (E-16221)
120.262	r	(P-12137/91; A-139)	121.166	n	(P-15813) (E-16221)
120.270	r	(P-12137/91; A-139)	121.170	n	(P-15813) (E-16221)
120.271	r	(P-12137/91; A-139)	121.172	n	(P-15813) (E-16221)
120.272	r	(P-12137/91; A-139)	121.174	n	(P-15813) (E-16221)
120.273	r	(P-12137/91; A-139)	121.176	n	(P-15813) (E-16221)
120.275	r	(P-12137/91; A-139)	121.178	n	(P-15813) (E-16221)
120.276	r	(P-12137/91; A-139)	121.180	n	(P-15813) (E-16221)
120.280	r	(P-12137/91; A-139)	121.182	n	(P-15813) (E-16221)
120.281	r	(P-12137/91; A-139)	121.184	n	(P-15813) (E-16221)
120.282	r	(P-12137/91; A-139)	121.186	n	(P-15813) (E-16221)
120.283	r	(P-12137/91; A-139)	121.188	n	(P-15813) (E-16221)
120.284	r	(P-12137/91; A-139)	121.190	n	(P-15813) (E-16221)
120.285	r	(P-12137/91; A-139)	130.200	am	(P-6931; A-13292)
120.290	r	(P-12137/91; A-139)	140.2	am	(P-17171/91; A-174)
120.295	r	(P-12137/91; A-139)			(P-6936; A-17302)
120.319	am	(P-12137/91; A-139)	140.5	am	(P-17171/91; A-174)
120.320	am	(P-12137/91; A-139)	140.11	am	(P-6949/91; A-3552)
120.321	am	(P-12137/91; A-139)	140.12	am	(P-12116; A-19146)
120.322	am	(P-12137/91; A-139)			(P-17049)
120.323	am	(P-12137/91; A-139)	140.13	am	(P-4708; A-19146)
120.382	am	(P-16625/91; A-11582)	140.14	am	(P-4708; A-19146)
120.384	am	(P-7761; A-17290)	140.15	am	(P-7775; A-17302)

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144.350	n	148.90	r	(P-15928/91; A-6255)	
144.375	n	148.100	r	(P-15928/91; A-6255)	
144.400	n	148.110	r	(P-15928/91; A-6255)	
144.405	n	148.120	am	(P-15928/91; A-6255)	
144.425	n	148.130	am	(P-15928/91; A-6255)	
144.450	n	148.140	am	(P-15928/91; A-6255)	
147.25	am			(P-15928/91; A-6255)	
147.50	am			(P-1786) (P-14540)	
147.75	am	148.150	am	(P-15928/91; A-6255)	
147.100	am	148.160	am	(P-15928/91; A-6255)	
147.150	am	148.170	am	(P-15928/91; A-6255)	
147.205	am	148.180	am	(P-15928/91; A-6255)	
147.300	am	148.190	am	(P-15928/91; A-6255)	
147.305	am	148.200	am	(P-15928/91; A-6255)	
147.310	am	148.210	am	(P-15928/91; A-6255)	
147.315	am	148.220	am	(P-15928/91; A-6255)	
147.320	am	148.230	am	(P-15928/91; A-6255)	
147.325	am	148.240	am	(P-15928/91; A-6255)	
147.340	am	148.250	am	(P-15928/91; A-6255)	
147.345	am	148.260	am	(P-15928/91; A-6255)	
147.350	am	148.270	am	(P-15928/91; A-6255)	
147.Tb.A	am	148.280	am	(P-15928/91; A-6255)	
147.Tb.B	am	148.290	am	(P-15928/91; A-6255)	
147.Tb.D	am	148.300	am	(P-15928/91; A-6255)	
147.Tb.E	am	148.310	am	(P-15928/91; A-6255)	
147.Tb.F	am	148.320	am	(P-15928/91; A-6255)	
147.Tb.L	n	148.400	n	(P-15928/91; A-6255)	
148.20	am	149.5	am	(P-11717) (E-11937)	
148.25	n	149.10	n	(P-14535) (E-14733)	
148.30	am				
148.40	am				
148.50	am				
148.60	am				
148.70	am				
148.80	am				

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TITLE 89 (CONT'D)		
149.25	am	(P-15931/91; A-6195) (P-14535) (E-14733)
149.50	am	(P-15931/91; A-6195) (P-14535) (E-14733)
149.75	am	(P-15931/91; A-6195) (P-14535) (E-14733)
149.100	am	(P-15931/91; A-6195) (P-14535) (E-14733)
149.105	am	(P-15931/91; A-6195) (P-14535) (E-14733)
149.125	am	(P-15931/91; A-6195) (P-14535) (E-14733)
149.140	n	(P-14535) (E-14733)
149.150	am	(P-15931/91; A-6195) (P-14535) (E-14733)
149.175	r	(P-15931/91; A-6195) (P-14535) (E-14733)
149.200	r	(P-15931/91; A-6195) (P-14535) (E-14733)
149.205	r	(P-15931/91; A-6195) (P-14535) (E-14733)
149.225	r	(P-15931/91; A-6195) (P-14535) (E-14733)
149.250	r	(P-15931/91; A-6195) (P-14535) (E-14733)
149.275	r	(P-15931/91; A-6195) (P-14535) (E-14733)
149.300	r	(P-15931/91; A-6195) (P-14535) (E-14733)
149.305	r	(P-15931/91; A-6195) (P-14535) (E-14733)
149.325	r	(P-15931/91; A-6195) (P-14535) (E-14733)
150.10	n	(E-2258)
150.20	n	(E-2258)
150.30	n	(E-2258)
150.40	n	(E-2258)
150.50	n	(E-2258)
150.60	n	(E-2258)
160.5	am	(P-806/91; A-1852)
160.10	am	(P-806/91; A-1852)
160.20	am	(P-806/91; A-1852)
160.30	am	(P-806/91; A-1852)
160.77	n	(P-8892)
160.85	n	(P-8892)
230.45	am	(P-3605; A-15401; O-15184; R-15590)
230.570	am	(P-3605; A-15401)
240.400	am	(E-2630) (P-11363; A-18767)
240.415	am	(E-11625) (E-2630) (P-11363; A-18767)
240.430	am	(P-17007/91; M-2930; S-1744; W-2955; M-2943)
240.435	am	(P-15931/91; A-6195) (P-14535) (E-14733)
240.451	n	(P-15931/91; A-6195) (P-14535) (E-14733)
240.655	am	(P-15931/91; A-6195) (P-14535) (E-14733)
240.720	am	(P-15931/91; A-6195) (P-14535) (E-14733)
240.720	r	(P-15931/91; A-6195) (P-14535) (E-14733)
240.725	am	(P-15931/91; A-6195) (P-14535) (E-14733)
240.725	r	(P-15931/91; A-6195) (P-14535) (E-14733)
240.726	n	(P-15931/91; A-6195) (P-14535) (E-14733)
240.726	r	(P-15931/91; A-6195) (P-14535) (E-14733)
240.727	n	(P-15931/91; A-6195) (P-14535) (E-14733)
240.728	n	(P-15931/91; A-6195) (P-14535) (E-14733)
240.729	n	(P-15931/91; A-6195) (P-14535) (E-14733)
240.800	am	(P-806/91; A-1852) (P-806/91; A-1852)
240.810	am	(P-806/91; A-1852) (P-806/91; A-1852)
240.825	am	(P-8892)
240.855	am	(P-3605; A-15401; O-15184; R-15590)
240.1510	am	(E-11625) (E-2630) (P-11363; A-18767)
240.1520	am	(P-15203)
240.1530	am	(P-15203)
240.1535	am	(P-15203)
240.1540	am	(P-15203)
240.1545	am	(P-15203)
240.1550	am	(P-15203)
240.1555	am	(P-15203)
240.1560	am	(P-15203)
240.1565	am	(P-15203)

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240.1570	am	(P-15203)	305.110	re	(A-12772)
240.1575	am	(P-15203)	305.120	#	(P-5403; A-16552)
240.1580	am	(P-15203)	305.120	re	(A-12772)
240.1590	am	(P-15203)	305.130	am	(P-5403; A-16552)
240.1600	am	(P-15203)	305.130	re	(A-12772)
240.1605	am	(P-4087; A-14565)	305.140	#	(P-5403)
240.1610	am	(P-4087; A-14565)	305.140	re	(A-12772)
240.1620	am	(P-4087; A-14565)	309.1	re	(P-7982)
240.1625	am	(P-4087; A-14565)	309.2	r	(P-7982)
240.1630	am	(P-4087; A-14565)	309.3	r	(P-7982)
240.1635	am	(P-4087; A-14565)	309.4	r	(P-7982)
240.1640	am	(P-4087; A-14565)	309.5	r	(P-7982)
240.1645	am	(P-4087; A-14565)	309.6	r	(P-7982)
240.1650	am	(P-4087; A-14565)	309.7	r	(P-7982)
240.1655	am	(P-4087; A-14565)	309.8	r	(P-7982)
240.1660	am	(P-4087; A-14565)	309.9	r	(P-7982)
		(P-4087; C-5083; A-14565)	309.10	r	(P-7982)
		(P-4087; C-5083; A-14565)	309.11	r	(P-7982)
240.1661	n	(P-4087; C-5083; A-14565)	309.12	r	(P-7982)
240.1665	am	(P-15203)	309.13	r	(P-7982)
240.1800	am	(P-15203)	309.14	r	(P-7982)
240.1850	r	(P-15203)	309.15	r	(P-7982)
240.2020	am	(P-15203)	309.16	r	(P-7982)
240.2050	am	(P-15203)	309.17	r	(P-7982)
300.130	am	(P-14988)	309.18	r	(P-7982)
300.160	am	(P-14988)	309.19	r	(P-7982)
.20	am	(P-7565)	309.20	r	(P-7982)
.390	am	(P-11979)	309.21	r	(P-7982)
304.2	am	(P-7545)	309.22	r	(P-7982)
305.10	#	(P-5403)	309.23	r	(P-7982)
305.10	re	(A-12772)	335.100	am	(P-8415/91; A-7633)
305.20	am	(P-5403; A-16552)	335.102	am	(P-12254)
305.20	re	(A-12772)	335.102	am	(P-12254)
305.30	am	(P-5403; A-16552)	335.200	am	(P-8415/91; A-7633)
305.30	re	(A-12772)	335.202	am	(P-12254)
305.40	#	(P-5403; A-16552)	335.202	am	(P-8415/91; A-7633)
305.40	re	(A-12772)	335.300	am	(P-12254)
305.50	am	(P-5403; A-16552)	335.300	am	(P-8415/91; A-7633)
305.50	re	(A-12772)	335.	am	(P-12254)
305.60	am	(P-5403; A-16552)	335.	am	(P-12254)
305.60	re	(A-12772)	335.304	am	(P-12254)
305.70	n	(P-5403; A-16552)	335.304	am	(P-8415/91; A-7633)
305.70	re	(A-12772)	335.306	am	(P-12254)
305.80	n	(P-5403; A-16552)	335.306	am	(P-8415/91; A-7633)
305.80	re	(A-12772)	335.308	r	(P-12254)
305.90	#	(P-5403)	335.308	r	(P-8415/91; A-7633)
305.90	re	(A-12772)	335.310	am	(P-12254)
305.100	#	(P-5403)	335.310	am	(P-8415/91; A-7633)
305.100	re	(A-12772)			
305.110	#	(P-5403)			

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335.312	am	(P-8415/91; A-7633)	337.130	n	(P-7999)
335.312	am	(P-12254)	337.140	n	(P-7999)
335.314	am	(P-8415/91; A-7633)	337.150	n	(P-7999)
335.316	am	(P-12254)	337.160	n	(P-7999)
335.318	am	(P-8415/91; A-7633)	337.170	n	(P-7999)
335.320	am	(P-12254)	337.180	n	(P-7999)
335.320	am	(P-8415/91; A-7633)	337.190	n	(P-7999)
335.326	am	(P-12254)	337.200	n	(P-7999)
335.328	am	(P-8415/91; A-7633)	337.210	n	(P-7999)
335.330	am	(P-12254)	337.220	n	(P-7999)
335.332	am	(P-8415/91; A-7633)	337.230	n	(P-7999)
335.334	am	(P-12254)	337.240	n	(P-7999)
335.336	am	(P-8415/91; A-7633)	337.250	n	(P-7999)
335.338	am	(P-12254)	352. Ap.A	am	(P-13229/91; A-3924)
335. Ap.A	n	(P-7963) (P-7963)	377.2	am	(P-7553)
336.10	n	(P-7963)	377.4	am	(P-7553)
336.20	n	(P-7963)	378.1	r	(P-7561)
336.30	n	(P-7963)	378.2	r	(P-7561)
336.40	n	(P-7963)	378.3	r	(P-7561)
336.50	n	(P-7963)	378.4	r	(P-7561)
336.60	n	(P-7963)	402.15	am	(P-11707; E-11879)
336.70	n	(P-7963)	406.2	am	(E-15088/91; M-2269)
336.80	n	(P-7963)	406.4	am	(P-14734/91; A-7602)
336.90	n	(P-7963)	406.5	am	(P-14734/91; A-7602)
336.100	n	(P-7963)	406.6	am	(P-14734/91; A-7602)
336.110	n	(P-7963)	406.7	am	(P-14734/91; A-7602)
336.120	n	(P-7963)	406.8	am	(P-14734/91; A-7602)
336.130	n	(P-7963)	406.9	am	(P-14734/91; A-7602)
336.140	n	(P-7963)	406.10	am	(P-14734/91; A-7602)
336.150	n	(P-7963)	406.11	am	(P-14734/91; A-7602)
336.160	n	(P-7963)	406.12	am	(P-14734/91; A-7602)
336.170	n	(P-7963)	406.13	am	(P-14734/91; A-7602)
337.10	n	(P-7999)	406.14am(P-14734/91; A-7602)		
337.20	n	(P-7999)	406.22	am	(P-14734/91; A-7602)
337.30	n	(P-7999)	406.24	am	(P-14734/91; A-7602)
337.40	n	(P-7999)	407.29	am	(P-14729/91; A-7597)
337.50	n	(P-7999)	408.5	am	(P-14764/91; A-8950)
337.60	n	(P-7999)	408.7	n	(P-14764/91; A-8950)
337.70	n	(P-7999)	408.20	am	(P-14764/91; A-8950)
337.80	n	(P-7999)	408.30	am	(P-14764/91; A-8950)
337.90	n	(P-7999)	408.40	am	(P-14764/91; A-8950)
337.100	n	(P-7999)	408.50	am	(P-14764/91; A-8950)
337.110	n	(P-7999)	408.60	am	(P-14764/91; A-8950)
337.120	n	(P-7999)	408.65	am	(P-14764/91; A-8950)
			408.70	am	(P-14764/91; A-8950)
			408.105	am	(P-14764/91; A-8950)
			510.10	am	(P-69; A-8537)
			510.20	am	(P-69; A-8537)
			510.30	am	(P-69; A-8537)

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530.520	n	(P-2940/91; A-2193)	704.90
530.520	n	(P-2940/91; A-2193)	704.100
530.530	n	(P-2940/91; A-2193)	704.110
530.600	n	(P-2940/91; A-2193)	704.120
530.601	r	(P-3003/91; A-2256)	704.130
530.602	r	(P-3003/91; A-2256)	704.140
530.603	r	(P-3003/91; A-2256)	704.150
530.610	n	(P-2940/91; A-2193)	704.Ap.A
530.700	n	(P-2940/91; A-2193)	708.70
530.701	r	(P-3003/91; A-2256)	708.70
530.702	r	(P-3003/91; A-2256)	787.10
530.710	n	(P-2940/91; A-2193)	787.20
530.800	n	(P-2940/91; A-2193)	787.30
530.801	r	(P-3003/91; A-2256)	787.40
530.802	r	(P-3003/91; A-2256)	787.50
530.803	r	(P-3003/91; A-2256)	1002.20
530.804	r	(P-3003/91; A-2256)	1002.45
530.810	n	(P-2940/91; A-2193)	1010.420
530.820	n	(P-2940/91; A-2193)	1030.11
530.830	n	(P-2940/91; A-2193)	1030.12
530.840	n	(P-2940/91; A-2193)	1030.30
530.900	n	(P-2940/91; A-2193)	1030.84
530.901	r	(P-3003/91; A-2256)	
530.902	r	(P-3003/91; A-2256)	1030.115
530.903	r	(P-3003/91; A-2256)	1030.120
530.904	r	(P-3003/91; A-2256)	1030.130
530.905	r	(P-3003/91; A-2256)	1070.20
530.906	r	(P-3003/91; A-2256)	1070.40
530.907	r	(P-3003/91; A-2256)	1309.10
530.908	r	(P-3003/91; A-2256)	1309.20
530.909	r	(P-3003/91; A-2256)	1309.30
530.II.A	n	(P-2940/91; A-2193)	1311.10
700.10	n	(P-17235)	1440.20
700.20	n	(P-17235)	
700.30	n	(P-17235)	
700.40	n	(P-17235)	
700.50	n	(P-17235)	
700.60	n	(P-17235)	
700.70	n	(P-17235)	
700.80	n	(P-17235)	
700.90	n	(P-17235)	
700.100	n	(P-17235)	
700.110	n	(P-17235)	
704.10	n	(P-17244)	
704.20	n	(P-17244)	
704.30	n	(P-17244)	
704.40	n	(P-17244)	
704.50	n	(P-17244)	
704.60	n	(P-17244)	
704.70	n	(P-17244)	
704.80	n	(P-17244)	

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121.150	n	(P-561; A-7707)
121.160	n	(P-561; A-7707)
121.170	n	(P-561; A-7707)
121.180	n	(P-561; A-7707)
121.190	n	(P-561; A-7707)
121.200	n	(P-561; A-7707)
121.210	n	(P-561; A-7707)
121.220	n	(P-561; A-7707)
121.230	n	(P-561; A-7707)
122.10	n	(P-2113)
122.20	n	(P-2113)
122.30	n	(P-2113)
122.40	n	(P-2113)
122.50	n	(P-2113)
122.60	n	(P-2113)
122.70	n	(P-2113)

1941-1942

Year	1941	1942
Jan	100	100
Feb	100	100
Mar	100	100
Apr	100	100
May	100	100
Jun	100	100
Jul	100	100
Aug	100	100
Sep	100	100
Oct	100	100
Nov	100	100
Dec	100	100

1943-1944

Year	1943	1944
Jan	100	100
Feb	100	100
Mar	100	100
Apr	100	100
May	100	100
Jun	100	100
Jul	100	100
Aug	100	100
Sep	100	100
Oct	100	100
Nov	100	100
Dec	100	100

1945-1946

Year	1945	1946
Jan	100	100
Feb	100	100
Mar	100	100
Apr	100	100
May	100	100
Jun	100	100
Jul	100	100
Aug	100	100
Sep	100	100
Oct	100	100
Nov	100	100
Dec	100	100

1947-1948

Year	1947	1948
Jan	100	100
Feb	100	100
Mar	100	100
Apr	100	100
May	100	100
Jun	100	100
Jul	100	100
Aug	100	100
Sep	100	100
Oct	100	100
Nov	100	100
Dec	100	100

1949-1950

Year	1949	1950
Jan	100	100
Feb	100	100
Mar	100	100
Apr	100	100
May	100	100
Jun	100	100
Jul	100	100
Aug	100	100
Sep	100	100
Oct	100	100
Nov	100	100
Dec	100	100

1951-1952

Year	1951	1952
Jan	100	100
Feb	100	100
Mar	100	100
Apr	100	100
May	100	100
Jun	100	100
Jul	100	100
Aug	100	100
Sep	100	100
Oct	100	100
Nov	100	100
Dec	100	100

1953-1954

Year	1953	1954
Jan	100	100
Feb	100	100
Mar	100	100
Apr	100	100
May	100	100
Jun	100	100
Jul	100	100
Aug	100	100
Sep	100	100
Oct	100	100
Nov	100	100
Dec	100	100

1955-1956

Year	1955	1956
Jan	100	100
Feb	100	100
Mar	100	100
Apr	100	100
May	100	100
Jun	100	100
Jul	100	100
Aug	100	100
Sep	100	100
Oct	100	100
Nov	100	100
Dec	100	100

1957-1958

Year	1957	1958
Jan	100	100
Feb	100	100
Mar	100	100
Apr	100	100
May	100	100
Jun	100	100
Jul	100	100
Aug	100	100
Sep	100	100
Oct	100	100
Nov	100	100
Dec	100	100